

JOURNAL OF THE PROCEEDINGS OF THE BOARD OF COMMISSIONERS OF COOK COUNTY

JULY 27, 2011



TONI PRECKWINKLE, PRESIDENT

**WILLIAM M. BEAVERS
JERRY BUTLER
EARLEAN COLLINS
JOHN P. DALEY
JOHN A. FRITCHEY
BRIDGET GAINER
JESUS G. GARCIA
ELIZABETH "LIZ" DOODY GORMAN
GREGG GOSLIN**

**JOAN PATRICIA MURPHY
EDWIN REYES
TIMOTHY O. SCHNEIDER
PETER N. SILVESTRI
DEBORAH SIMS
ROBERT B. STEELE
LARRY SUFFREDIN
JEFFREY R. TOBOLSKI**

**DAVID ORR
COUNTY CLERK**

JOURNAL OF THE PROCEEDINGS

OF THE

BOARD OF COMMISSIONERS

OF COOK COUNTY

Meeting of Wednesday, July 27, 2011

10:00 A.M.

COOK COUNTY BOARD ROOM, COUNTY BUILDING

Board met pursuant to law and pursuant to Resolution 11-R-26.

OFFICIAL RECORD

President Preckwinkle in the Chair.

CALL TO ORDER

At 10:00 A.M., being the hour appointed for the meeting, the President called the Board to order.

QUORUM

County Clerk David Orr called the roll of members and there was found to be a quorum present.

ROLL CALL

Present: President Preckwinkle and Commissioners Butler, Collins, Daley, Fritchey, Gainer, Garcia, Gorman, Goslin, Murphy, Reyes, Schneider, Silvestri, Sims, Steele, Suffredin and Tobolski (16).

Absent: Commissioner Beavers (1).

INVOCATION

Reverend Dr. Rufus E. Robinson, True Temple of Solomon gave the Invocation.

President Preckwinkle moved that the meeting do now recess for the purpose of holding the various committee meetings.

BOARD RECONVENED

President Preckwinkle in the Chair.

QUORUM

County Clerk David Orr called the roll of members and there was found to be a quorum present.

ROLL CALL

Present: President Preckwinkle and Commissioners Butler, Collins, Daley, Fritchey, Gainer, Garcia, Gorman, Goslin, Murphy, Reyes, Schneider, Silvestri, Sims, Steele, Suffredin and Tobolski (16).

Absent: Commissioner Beavers (1).

BOARD OF COMMISSIONERS OF COOK COUNTY

PRESIDENT

RESOLUTION

**11-R-247
RESOLUTION**

Sponsored by

THE HONORABLE TONI PRECKWINKLE

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

**RESOLUTION REQUESTING CONSENT OF THE DEPARTMENT OF TRANSPORTATION
TO THE APPOINTMENT OF AN ACTING COUNTY SUPERINTENDENT OF HIGHWAYS**

WHEREAS, a vacancy will exist in the office of the Superintendent of Highways of Cook County, Illinois on August 2, 2011, due to the resignation of the incumbent County Superintendent of Highways, Rupert F. Graham, Jr., which will occur at the end of the business day on August 1, 2011; and

WHEREAS, in accordance with Section 5-204 of the Illinois Highway Code, the County Board must request the consent of the Illinois Department of Transportation ("IDOT") before the appointment of an Acting County Superintendent of Highways can be made; and

WHEREAS, due to the vacancy that will occur on August 1, 2011, the County Board of Commissioners does hereby appoint Assistant Superintendent John J. Beissel as Acting Superintendent, effective August 2, 2011; and

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WHEREAS, Assistant Superintendent John J. Beissel shall remain in the position of Assistant Superintendent and assume the position of Acting Superintendent until a final candidate for County Superintendent of Highways can be submitted to and certified by IDOT and approved by the County Board.

NOW, THEREFORE BE IT RESOLVED, that the President and the Board of Commissioners of Cook County do hereby request from the Department of Transportation of the State of Illinois its consent and approval to appoint John J. Beissel as Acting County Superintendent until a permanent placement can be submitted, certified and approved or as otherwise requested by the County Board; and

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to transmit two (2) certified copies of this Resolution to IDOT, through its District Engineer's Office in Schaumburg, Illinois.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Suffredin, seconded by Commissioner Silvestri, moved to suspend the rules. **The motion carried unanimously.**

Commissioner Sims, seconded by Commissioner Gorman, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

PROPOSED APPOINTMENTS

Transmitting a Communication, dated July 26, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

Re: *Appointment –Judicial Advisory Council*

Please be advised that I hereby appoint Judge Michael Stuttley to the Judicial Advisory Council for a term to begin immediately and to expire on July 1, 2015.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

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Commissioner Suffredin, seconded by Commissioner Steele, moved that the communication be referred to the Committee on Legislation and Intergovernmental Relations. (Comm. No. 313897). **The motion carried unanimously.**

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Transmitting a Communication, dated July 26, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

Commissioner Suffredin, seconded by Commissioner Steele, moved that the reappointment by the President be approved. **The motion carried unanimously.**

Re: Appointment –Judicial Advisory Council

Please be advised that I hereby appoint Victor P. Henderson to the Judicial Advisory Council for a term to begin immediately and to expire on July 1, 2015.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Steele, moved that the communication be referred to the Committee on Legislation and Intergovernmental Relations. (Comm. No. 313898). **The motion carried unanimously.**

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Transmitting a Communication, dated July 26, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

Re: Appointment –Judicial Advisory Council

Please be advised that I hereby appoint Virginia Martinez to the Judicial Advisory Council for a term to begin immediately and to expire on July 1, 2015.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Steele, moved that the communication be referred to the Committee on Legislation and Intergovernmental Relations. (Comm. No. 313899). **The motion carried unanimously.**

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Transmitting a Communication, dated July 26, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

Re: *Appointment –Judicial Advisory Council*

Please be advised that I hereby appoint Judge William Hooks to the Judicial Advisory Council for a term to begin immediately and to expire on July 1, 2015.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Steele, moved that the communication be referred to the Committee on Legislation and Intergovernmental Relations. (Comm. No. 313900). **The motion carried unanimously.**

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Transmitting a Communication, dated July 26, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

Re: *Appointment –Northwest Water Commission*

Please be advised that I hereby appoint Mr. William Brimm to the Northwest Water Commission for a term to begin immediately and to expire on January 26, 2017.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Steele, moved that the communication be referred to the Committee on Legislation and Intergovernmental Relations. (Comm. No. 313901). **The motion carried unanimously.**

PROPOSED REAPPOINTMENT

Transmitting a Communication, dated July 26, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

Transmitting a Communication, dated July 25, 2011 from

Re: Reappointment –Judicial Advisory Council

Please be advised that I hereby reappoint Justice Anne Burke to the Judicial Advisory Council for a term to begin immediately and to expire on July 1, 2015.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Steele, moved to defer consideration of the reappointment to the September 7, 2011 Board meeting. **The motion carried unanimously.**

REAPPOINTMENTS

Transmitting a Communication, dated July 25, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

Re: Reappointment – Mission Brook Sanitary District

Please be advised that I hereby reappoint Ms. Judith W. Arvey to the Mission Brook Sanitary District for a term to begin immediately and to expire on May 1, 2014.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Suffredin, seconded by Commissioner Silvestri, moved to suspend the rules. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Steele, moved that the reappointment by the President be approved. **The motion carried unanimously.**

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Transmitting a Communication, dated July 25, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

Re: Reappointment – South Cook County Mosquito Abatement District

Please be advised that I hereby reappoint Mr. Patrick McCool to the South Cook County Mosquito Abatement District for a term to begin immediately and to expire on December 1, 2014.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Suffredin, seconded by Commissioner Silvestri, moved to suspend the rules. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Steele, moved that the reappointment by the President be approved. **The motion carried unanimously.**

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Transmitting a Communication, dated July 25, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

Re: *Reappointment – Northwest Mosquito Abatement District*

Please be advised that I hereby reappoint Mr. Daniel Ansani to the Northwest Mosquito Abatement District for a term to begin immediately and to expire on December 1, 2014.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Suffredin, seconded by Commissioner Silvestri, moved to suspend the rules. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Steele, moved that the reappointment by the President be approved. **The motion carried unanimously.**

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Transmitting a Communication, dated July 25, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

Re: *Reappointment – South Cook County Mosquito Abatement District*

Please be advised that I hereby reappoint Mr. Nick Maloni to the South Cook County Mosquito Abatement District for a term to begin immediately and to expire on December 1, 2014.

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I submit this communication for your approval.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Suffredin, seconded by Commissioner Silvestri, moved to suspend the rules. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Steele, moved that the reappointment by the President be approved. **The motion carried unanimously.**

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Transmitting a Communication, dated July 25, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

Re: *Reappointment – Northwest Mosquito Abatement District*

Please be advised that I hereby reappoint Mr. Arnold Kincaid to the Northwest Mosquito Abatement District for a term to begin immediately and to expire on December 1, 2014.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Suffredin, seconded by Commissioner Silvestri, moved to suspend the rules. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Steele, moved that the reappointment by the President be approved. **The motion carried unanimously.**

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Transmitting a Communication, dated July 25, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

Re: *Reappointment – Northwest Mosquito Abatement District*

Please be advised that I hereby reappoint Mr. William Schneck to the Northwest Mosquito Abatement District for a term to begin immediately and to expire on December 1, 2014.

I submit this communication for your approval.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Suffredin, seconded by Commissioner Silvestri, moved to suspend the rules. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Steele, moved that the reappointment by the President be approved. **The motion carried unanimously.**

COMMISSIONERS

TRANSFER OF FUNDS

Transmitting a Communication, dated July 15, 2011 from

PETER N. SILVESTRI, County Commissioner

requesting approval by the Board of Commissioners to transfer funds totaling \$1,500.00 from Account 089-890, General and Contingent Expenses to Account 089-350, Office Supplies for the purchase of office supplies.

Commissioner Silvestri, seconded by Commissioner Steele, moved that the transfer of funds be approved. **The motion carried unanimously.**

PROPOSED ORDINANCE AMENDMENTS

Submitting a Proposed Ordinance Amendment sponsored by

TONI PRECKWINKLE, President, JOHN P. DALEY, EARLEAN COLLINS,
ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN,
JOAN PATRICIA MURPHY, TIMOTHY O. SCHNEIDER, LARRY SUFFREDIN
and JEFFREY R. TOBOLSKI, County Commissioners

Co-Sponsored by

JERRY BUTLER, JOHN A. FRITCHEY, BRIDGET GAINER, JESUS G. GARCIA, EDWIN REYES,
PETER N. SILVESTRI, DEBORAH SIMS and ROBERT B. STEELE, County Commissioners

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 34 Finance, Section 34-370 of the Cook County Code is hereby amended as follows:

Sec. 34-370. Child Support Compliance a Condition of Continued Employment and Offers of Employment

(a) The County Comptroller shall review the records of the appropriate child support enforcement agent of the State of Illinois IV-D Child Support Enforcement Program (the "IV-D Agent") to determine whether any employee has delinquent child support. The review may occur electronically, and must be performed not less than monthly. If the Comptroller determines that the name and/or address or other pertinent individual data of any County employee appear within the records of the child support enforcement agent, and is indicated therein as delinquent or in arrears, the Comptroller shall notify the appropriate child support enforcement agent of the current employment status of that County employee. The Comptroller shall comply with all court-ordered wage garnishments pertaining to sums due and owed by employees of the County for child support.

(b) Every person who is given an offer of employment with the County shall file an affidavit with the Bureau of Human Resources disclosing any unpaid court-ordered child support obligations owed by the applicant, and including the court number of their child support case and the county and state in which the child support case is pending.

(c) Where an applicant's affidavit discloses, or the department of human resources otherwise determines, that an applicant owes any unpaid court-ordered child support, such applicant shall only be hired by the County on the condition that he or she establishes one of the following within six months of the start of employment:

(1) the applicant has paid to the obligee all child support due under the court order, as evidenced by a certified court order or official clerk's record that no support is due and owing; or

(2) the applicant has entered into a court-approved agreement for the payment of all child support owed and is in compliance with that agreement; or

(3) the applicant is not an obligor under a court-ordered child support obligation. Failure to establish one of the above criteria within six months of the start of employment shall be grounds for discharge.

(d) In addition, all new and existing County employees must take all steps within their power to ensure that an income withholding notice for any current, ongoing child support obligation has been served upon the County, and amounts are being deducted from their salary or wages in compliance therewith.

(e) All County employees must comply with all court-ordered child support obligations as a condition of employment. Noncompliance shall be grounds for discipline.

(f) The Bureau of Human Resources is authorized to treat administrative child support orders in the same manner as it does court-ordered child support obligations under this section and to promulgate rules and regulations to govern the treatment of such administrative orders. As used herein, "administrative child support orders" are orders or findings by the Illinois Department of Public Aid (or any other state agency authorized by statute to so act in its stead), pursuant to Article X of the Illinois Public Aid Code, 305 ILCS 5/10-1 to 1-022, or any similar statute, imposing child support payment obligations.

(g) The Bureau of Human Resources is further authorized to do the following:

(1) investigate the child support payment records of employees and applicants to determine compliance with court-ordered child support obligations;

- (2) provide information on employees and applicants to the appropriate Cook County, City of Chicago, and State of Illinois governmental entities, to the extent allowed by law, to assist those offices in enforcement of child support obligations;
- (3) provide the names and business addresses of employees to persons seeking to enforce court-ordered child support orders and child support withholding notices, and their legal representatives, to the extent allowed by law, on the condition that such information be used solely for the purpose of assisting in child support enforcement; provided that the names and identifying information of persons seeking to enforce child support orders shall be deemed confidential; and
- (4) promulgate regulations relating to the operation of this section.

Commissioner Suffredin, seconded by Commissioner Steele, moved that the communication be referred to the Committee on Finance. (Comm. No. 313889). **The motion carried unanimously.**

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Submitting a Proposed Ordinance Amendment

BRIDGET GAINER, County Commissioner

PROPOSED ORDINANCE AMENDMENT

**AMENDING RULES OF ORGANIZATION AND PROCEDURE
OF COOK COUNTY BOARD OF COMMISSIONERS**

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Sec. 2-105 of the Cook County Code is hereby amended as follows:

Sec. 2-105. Organization.

(a) *President Pro Tempore.* At the commencement of a term, the President shall nominate and the Board shall by resolution elect one Commissioner as President Pro Tempore for such term. The President Pro Tempore shall, in the absence of the President, preside over meetings of the Board. In addition, in the event the President is temporarily unable to act in performing the remainder of his or her official duties, the President Pro Tempore shall perform such duties and possess all the rights and powers of the President until such time as the President is able to perform such duties or, in the event of a vacancy in the Office of the President, until such vacancy is filled. If the President Pro Tempore shall cease to be a Commissioner or shall resign the office of President Pro Tempore, the Board shall elect another Commissioner to serve as President Pro Tempore for the remainder of the term.

(b) *Adoption of rules.* At the commencement of a term, the Board may adopt new rules of organization and procedure by ordinance setting forth such rules in their entirety and repealing these rules. Such ordinance must be adopted by a majority of those elected. Rules so adopted shall supersede these rules.

(c) *Committees.*

(1) The committees of the Board shall be:

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- a. The standing committees and their standing subcommittees listed in Subsection (f) of this section;
 - b. Special committees created by Board resolution under Subsection (e) of this section; and
 - c. Special subcommittees created by standing committees or by special committees under Subsection (e) of this section. Subcommittees may not create subcommittees.
- (2) The President shall be an ex officio member of all committees.
 - (3) A vacancy on a committee, or in the Chair or Vice-Chair position on a committee, shall be created when a member resigns from such position or ceases to be a Commissioner. Resignations shall be made in writing to the Secretary, who shall promptly notify the President and all Commissioners.
 - (4) Vacancies on committees or in the positions of Chair or Vice-Chair shall be filled by appointment by the same appointing authority as the initial appointments to such committee. In the case of committee appointments made by the Board, the Board shall fill vacancies by resolution. In the case of vacancies on special subcommittees that were created by committees, the parent committee shall fill the vacancy by motion.
 - (5) Any Commissioner, regardless of whether a Chair, Vice-Chair or member of the committee, and the President shall be afforded the courtesy of participating in debate on any item before a committee.
 - (6) The Chair of a committee or subcommittee shall have the authority to call and preside at meetings of such committee or subcommittee. In the absence of the Chair, the Vice-Chair shall perform the functions of the Chair.
 - (7) The Secretary shall, at the end of each fiscal year, submit to the President and the Board a summary of all items pending in each committee.
- (d) *Membership and officers of standing committees.*
- (1) At the commencement of each term, the members of each standing committee and standing subcommittee shall be appointed for the term by resolution adopted by a majority of those elected.
 - (2) At the commencement of each term, the Chair and Vice-Chair of each standing committee and standing subcommittee shall be appointed for the term by resolution of the Board adopted by a majority of those elected.
- (e) *Special committees and subcommittees.*
- (1) The Board may create special committees by resolution adopted by a majority of those elected. The appointed members of a special committee shall be designated by resolution.

- (2) A committee may create a special subcommittee by motion adopted by a majority of the Commissioners who are members of the committee.
- (3) The resolution or motion creating a special committee or special subcommittee shall specify the subject matter of the special committee or subcommittee and the number of members to be appointed thereto, and may specify a reporting date during the term in which event the special committee or subcommittee shall be abolished as of such date. Unless an earlier date is specified by resolution or motion, special committees and subcommittees shall expire at the end of the term.

(f) *Standing committees.* The standing committees, the standing subcommittees and the number of members to be appointed to each (including Chair and Vice-Chair, but excluding ex officio members) are as follows:

- (1) Audit, seven members. (The County Auditor and Chief Financial Officer are ex officio, nonvoting members of the Audit Committee.)
- (2) Capital Improvements, nine members.
- (3) Contract Compliance, nine members.
- (4) Criminal Justice, Committee of the Whole.
- (5) Environmental Control, seven members.
- (6) Finance, Committee of the Whole, with the following subcommittees with the number of members indicated:
 - a. Labor, seven members.
 - b. Litigation, seven members.
 - c. Pension and Benefits, seven members.
 - d. Real Estate and Business and Economic Development, seven members.
 - e. Tax Delinquency, seven members.
 - f. Workers' Compensation, five members.
- (7) Health and Hospitals, Committee of the Whole.
- (8) Homeland Security and Emergency Management, Committee of the Whole.
- (9) Human Relations, seven members.
- (10) Law Enforcement, seven members.
- (11) Legislation and Intergovernmental Relations, Committee of the Whole.

- (12) Roads and Bridges, Committee of the Whole.
- (13) Rules and Administration, nine members.
- (14) Technology, nine members.
- (15) Veterans, five members.
- (16) Workforce, Job Development and Training Opportunities, five members.
- (17) Zoning and Building, Committee of the Whole.

(g) *Referrals to committees.* The Board may by motion refer any item before the Board to a Committee or to a subcommittee. The Chair of a committee may refer an item pending in that committee to a subcommittee of that committee. An item referred by the Board to any committee or subcommittee, or by a committee chair to a subcommittee, shall not be jointly referred to any other committee or subcommittee. Only upon the return of the item to the Board, either by report of the committee or by the Board's discharge of the item from the committee or subcommittee, may the Board refer the item to another committee or subcommittee.

All items referred to committee or subcommittee by the Board shall be designated with a Communication Number as assigned by the Clerk. No committee or subcommittee shall meet for any purpose other than to consider one or more items designated by Communication Numbers.

The Clerk shall refer the draft Journal of Proceedings directly to the Committee on Rules and Administration and provide a Communication Number within 21 days of a Board Meeting.

(h) *Reporting by committees.* Notwithstanding any action to be undertaken by committees or subcommittees pursuant to this section, only the Board may take final action on any item referred to a committee or subcommittee. Committees shall report to the Board, and subcommittees shall report to their parent committees, subsequent to adjournment of a meeting of the committee or subcommittee. The report of any committee or subcommittee shall be comprised of two sections. The first section of the report, "the text," shall constitute the minutes of the meeting for which the report was prepared and shall contain: a list of the attendees; an account of the items considered; a summary of the deliberations, including motions and amendments proposed and/or adopted; all votes taken; the result of said votes; and, any attachments to the record as ordered by the Chair. The second section of the report shall include a summary of certain actions taken at the meeting for which the report was prepared. For purposes of this paragraph, action is defined as motions, duly seconded and carried, to adopt one of the six (6) following statements of intent with respect to a Communication Numbered item:

- (1) Recommend for Approval;
- (2) Recommend for Approval as Amended;
- (3) Not Recommended for Approval;
- (4) Not Recommended for Approval as Amended;
- (5) Recommended for Receiving and Filing; and

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(6) Returned With No Recommendation.

The committee's adoption of any one of the above six statements of intent, as reported to the Board, shall constitute conclusive action by the committee on a Communication Numbered item, and shall automatically discharge the committee from further jurisdiction of the item. Absent the attachment of one of these six statements of intent to the Communication Numbered item, such item will remain in committee unless discharged by the Board.

The Board's approval of a committee report that contains a statement(s) of intent as set forth in numbers (1) through (5) above in this section will constitute final Board action on the item(s) attached to the statement(s) of intent. The Board's approval of a committee report that contains a statement of intent as set forth in number (6), "Returned With No Recommendation," places the item before the Board for immediate consideration.

Commissioners present and voting on a motion to approve a committee report retain the right to divide their vote with regard to each item contained in the second section of the report, or to request a separate vote, either by voice or roll call, on such items, regardless of whether the first section has been approved.

(i) *Public Hearings of committees.* Any committee meeting may, at the discretion of the Chair, be designated as a public hearing; provided that the following requirements are satisfied:

- (1) A paid notice containing the time, place, subject matter of the hearing, and solicitation of pertinent public testimony shall be published in a newspaper of general circulation in Cook County;
- (2) A like notice shall be posted on the website maintained by the Secretary;
- (3) A court reporter is present and reporting all written and oral testimony by members of the public;
- (4) All oral testimony by members of the public shall be the first order of business after the committee is called to order; and
- (5) Any other meeting notification requirements found elsewhere in this section.

(j) *Discharge of committee by the Board.* The Board may discharge any item from committee by a majority vote.

(k) *Confirmation of presidential appointments.* All appointments and reappointments of the President requiring the advice and consent of the Board shall be referred to the Legislation and Intergovernmental Relations Committee upon the President's submission. The Committee shall promptly hold such hearings as it deems appropriate and shall, no later than 30 days after referral, report all such appointments to the Board with a recommendation for action. If the Committee has not made a timely report on any appointment, the appointment shall, at the next regular meeting of the Board following the expiration of such 30 days, be referred to the Board with "no recommendation" by the Committee.

(l) *Approval of Journal of Proceedings.* Effective January 1, 2011, in accordance with Public Act 96-1473, the Journal of Proceedings shall be approved within the time allowed by the law. To achieve this requirement of the law, the following procedures shall be followed:

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- (1) Commissioners shall file a statement of their "nay" and "present" votes with the Clerk, for items before the Board, or with the Secretary, for items in Committee within 24 hours of the end of a Meeting.
- (2) Draft copies of the Journal of Proceedings shall be circulated to the President and the Board within 21 days of the meeting for review and correction.
- (3) All corrections shall be made to the Clerk in writing within 48 hours of receiving the Draft Copy of the Journal of Proceedings.
- (4) A standing meeting of the Committee on Rules and Administration at 9:45 a.m. on the days of regularly scheduled Board Meetings shall be convened to approve the Journal with all corrections.
- (5) The Board shall approve the Report of the Committee on Rules and Administration at the subsequent Board Meeting.

Effective date: This Amended Ordinance shall be in effect immediately upon adoption.

This item was WITHDRAWN at the request of the sponsor.

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Submitting a Proposed Ordinance Amendment sponsored by

EDWIN REYES, LARRY SUFFREDIN, JESUS G. GARCIA and GREGG GOSLIN,
County Commissioners

Co-Sponsored by

PETER N. SILVESTRI, County Commissioners

PROPOSED ORDINANCE AMENDMENT

AMENDMENT TO THE COOK COUNTY TOBACCO TAX ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 74 Taxation, Section 74-435 of the Cook County Code are hereby amended as follows:

Sec. 74-435. Sales, possession, use or hindrance violations and penalties.

(a) It shall be a violation of this article to engage in the sale, possession, or use of any cigarettes and/or other tobacco products subject to any tax provided by this article upon which said tax has not been paid or the stamps affixed and cancelled as herein required, including, as described in this article:

- (1) Counterfeit cigarettes.
- (2) Counterfeit tax stamps.

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(3) Improperly stamped packs.

(4) Unstamped packs.

(b) It shall be a violation of this article for any wholesale or retail tobacco dealer to engage in any of the following:

(1) Utilization of used or reused tax stamps by possessing or offering for sale or resale packs of cigarettes affixed with a used or reused tax stamp.

(2) Concealment, as described in this article.

(3) Sell or distribute loose cigarettes.

(4) Sell cigarettes to any person, other than to another registered Cook County wholesale tobacco dealer, unless each package bears an unmutated Cook County tax stamp affixed, or where the selling wholesale tobacco dealer, or its agent, delivers the unstamped cigarettes to a location outside Cook County.

(5) Hinder or prevent an authorized Department representative from performing an inspection or audit.

(c) Prima facie presumption. The sale, resale or possession by a wholesale or retail tobacco dealer of altered/mutilated, counterfeit, used or reused tax stamps; or packs of counterfeit, improperly stamped, unstamped cigarettes or loose cigarettes shall give rise to the prima facie presumption that the wholesale or retail tobacco dealer is in violation of the provisions of this article.

(d) Retail tobacco dealers shall not be in violation, of this section, for possession of packages of cigarettes, unstamped, improperly stamped or with mutilated stamps, affixed thereto, if the following conditions are met:

(1) the retailer purchased the cigarettes from a licensed wholesale tobacco dealer, and

(2) the wholesale dealer collected the Cook County tobacco tax from the retailer, and

(3) payment of the Cook County tax is evidenced by a valid receipt, issued by a licensed wholesaler, which specifically identifies the packages in question, by both the brand name and the state tax serial numbers affixed to the packages.

~~(d)~~ (e) Cigarette pack, tax stamp, loose cigarettes and hindrance violation penalties.

Violation Type	Penalties Amount
Concealment	
1st Offense	\$2,000.00
2nd and each subsequent offense, an additional	4,000.00
Counterfeit packs of cigarettes	
40 or less	2,000.00
41 or more, per pack	50.00

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2nd and each subsequent offense, an additional	4,000.00
Counterfeit tax stamps	
40 or less	2,000.00
41 or more, per stamp	50.00
2nd and each subsequent offense, an additional	4,000.00
Improperly stamped packs	
40 or less	<u>\$500 to 2,000.00</u>
41 or more, per pack	50.00
2nd and each subsequent offense, an additional	2000.00
Loose cigarettes	
40 or less	<u>\$500 to 1,000.00</u>
40 or more, per cigarette	25.00
2nd and each subsequent offense, an additional	2,000.00
Sales to unregistered wholesalers	
1st offense	2,000.00
2nd and each subsequent offense, an additional	4,000.00
Unstamped packs	
40 packs or less	<u>\$500 to 1,000.00</u>
41 packs or more, per pack	25.00
2nd and each subsequent offense, an additional	2,000.00
Utilization of used or reused tax stamps	
40 or less packs or stamps	2,000.00
41 or more packs or stamps, per pack or stamp	50.00
2nd and each subsequent offense, an additional	4,000.00
Hinder inspection or audit	
1st Offense	1,000.00
2nd and each subsequent offense, an additional	2,000.00

(f) Where the penalty provides for a range as to the amount of the fine, the following factors shall be taken into consideration:

- (1) the gravity of the offense,
- (2) the respondent's past history with respect to compliance with the provisions of this chapter,
- (3) the extent of respondent's cooperation,
- (4) any other factors relevant to the circumstances relating to the violation.

Effective date: This amended ordinance shall be in effect immediately upon adoption.

Commissioner Reyes, seconded by Commissioner Silvestri, moved that the communication be referred to the Committee on Finance. (Comm. No. 313890). **The motion carried unanimously.**

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Submitting a Proposed Ordinance Amendment sponsored by

BRIDGET GAINER and JOHN P. DALEY, County Commissioners

Co-Sponsored by

GREGG GOSLIN, County Commissioner

PROPOSED ORDINANCE AMENDMENT

AMENDMENT TO TAXING DISTRICT DEBT DISCLOSURE ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Section 2-243 of the Cook County Code is hereby amended as follows:

Sec. 2-243. Taxing district debt disclosure.

(a) *Definitions.*

Actuarial accrued liability (AAL), other postemployment benefits (OPEB), unfunded actuarial accrued liability (UAAL), and healthcare cost trend rate shall have the same meanings ascribed to such terms under the generally accepted accounting principles for governmental accounting promulgated from time to time by the Governmental Accounting Standards Board.

Actuarial cost method, amortization method, asset valuation method, investment rate of return, and any other actuarial terms used and not defined herein shall have the same meanings as defined by Actuarial Standards of Practice, as promulgated from time to time by the Actuarial Standards Board.

Audited financial statements, current debt, current liabilities, long term debt, long term liabilities and any other accounting terms used and not defined herein shall have the same meanings as defined by Generally Accepted Accounting Principles, as promulgated from time to time by the American Institute of Certified Public Accountants, and shall conform with the accounting principles and auditing standards generally accepted in the United States, including without limitation those generally accepted accounting principles for governmental accounting as are set forth in publications of the Governmental Accounting Standards Board.

Taxing District shall have the same meaning as defined by 35 ILCS 200/1-150.

Total Pension Liability shall mean the sum total of all liabilities of a Taxing District in respect of the pension and retirement obligations of such Taxing District. Total Pension Liability includes both AAL for pension benefits and AAL for OPEB benefits.

Total Unfunded Pension Liability shall mean the sum total of all unfunded liabilities of a Taxing District in respect of the pension and retirement obligations of such Taxing District. Total Unfunded Pension Liability includes UAAL for pension benefits and UAAL for OPEB benefits.

(b) *Duty of Taxing Districts to disclose all debt.* Each Taxing District shall, on or before the last Tuesday in December, provide to the Office of the Cook County Treasurer, in the electronic format required by Office of the Cook County Treasurer, a full, complete, unabridged and unedited copy of such Taxing District's most recent audited financial statement (along with any and all auditor's notes and comments on such audited financial statements), accompanied by such Taxing District's written disclosure of the following information:

- (1) Sum total of all debts and liabilities from such financial statement(s);
- (2) Sum total of gross tax levy for the most recent tax year;
- (3) Gross operating budget revenue for the most recent fiscal year;
- (4) Total Pension Liability;
- (5) Total Unfunded Pension Liability, which shall be denoted as a separate line item below Total Pension Liability;
- (6) Actuarial cost method utilized by the Taxing District in its calculations of Total Pension Liability and Total Unfunded Pension Liability;
- (7) Asset valuation method utilized by the Taxing District in its calculation of Total Unfunded Pension Liability;
- (8) Each of the following actuarial assumptions underlying the Taxing District's calculations of Total Pension Liability and Total Unfunded Pension Liability:
 - (a) Investment rate of return;
 - (b) Annual rate of salary increases;
 - (c) Participant mortality rate; and,
 - (d) Healthcare cost trend rate for OPEB benefits;
- ~~(6)~~ (9) Name and contact information (including telephone number, fax number, and email address, if available) for the chief elected official of the Taxing District [^]and for the chief finance official of the Taxing District; and
- ~~(7)~~ (10) If the Taxing District is a county, city, village, or incorporated town, the current total population of such Taxing District.

(c) In the event that a Taxing District does not have an audited financial statement for the most recent fiscal year, such Taxing District shall in lieu thereof provide to the Office of the Cook County Treasurer the most recent unaudited financial statement of such Taxing District, provided in all events that such unaudited financial statement shall include disclosures of the subject Taxing District's actual or contingent current debt, current liabilities, long term debt and long term liabilities. A Taxing District,

whose financial statements are included or consolidated in the financial statements of another Taxing District, is not required to separately provide the required financial statements in the event said other Taxing District is in compliance with the requirements of this Ordinance.

(d) Independent of the duty of Taxing Districts to make annual disclosures pursuant to subsection (b) above, within 60 days following notification by the Office of the Cook County Treasurer, via United State's Postal Service first class prepaid mail, each Taxing District shall provide to the Office of the Cook County Treasurer, in the electronic format required by the Office of the Cook County Treasurer, a written disclosure containing the information required under Subsections (b)(6), (b)(7), (b)(8), and (b)(9) above.

(e) *Duty of Treasurer to make available disclosure of debt.* The Office of the Cook County Treasurer shall:

- (1) Create an electronic repository for the storage of all financial disclosures made by such Taxing Districts; and
- (2) Cause to be published on each regularly issued real estate tax bill the website address which provides, to taxpayers and other interested parties, electronic access to such financial disclosures by such Taxing Districts.

(f) *Publication of disclosures.* The Office of the Cook County Treasurer may, in the sole discretion of the Cook County Treasurer:

- (1) Publish on the Cook County Treasurer's official website the names of any Taxing Districts that have failed to comply fully with the requirements of this Ordinance; and,
- (2) Publish from time to time (but in no event more frequently than twice per calendar year) in one or more newspapers having a circulation within Cook County (i) any disclosures provided by Taxing Districts pursuant to this Ordinance or otherwise and/or (ii) the names of any Taxing Districts that have failed to comply fully with the requirements of this Ordinance.

(g) *Duty of Taxing District to provide and maintain contact information.* In the event of any change to the contact information provided by a Taxing District pursuant to Subsection (b)(9), the Taxing District shall forthwith provide revised and up-to-date contact information to the Office of the Cook County Treasurer.

Effective date: This Amended Ordinance shall be in effect immediately upon adoption.

This item was WITHDRAWN at the request of the sponsor.

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Submitting a Proposed Ordinance Amendment sponsored by

EARLEAN COLLINS, PETER N. SILVESTRI and LARRY SUFFREDIN, County Commissioners

PROPOSED ORDINANCE AMENDMENT

BE IT ORDAINED, by the Cook County Board of Commissioners that, Part II - Land Development Ordinance, Appendix A – Zoning, Article 7. – Public and Open Land Districts, is hereby amended as follows:

7.0. - Purpose.

The Public and Open Land District regulations are intended to govern location, intensity and method of development for publicly owned land and open and undeveloped land. Public and open land uses are contained in the following two classifications:

P-1 Public Land District

P-2 Open Land District

7.1. - P-1 Public Land District.

7.1.1. Description of district. The P-1 Public Land District is intended to provide for publicly owned land. Some public land, however, may not be zoned P-1 depending on the use. No privately owned property or structures are allowed in the P-1 Public Land District.

7.1.2. Use, lot and bulk regulations. The applicable use, lot and bulk regulations are set forth in Sections 7.1.3 through 7.1.9.

7.1.3. Permitted uses. A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use, and no structure shall be erected, altered, enlarged or occupied, except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the P-1 District:

A. Educational institutions.

1. Public colleges and universities, boarding and nonboarding.
2. Public elementary schools, boarding and nonboarding.
3. Public high schools, boarding and nonboarding.

B. Recreation and social facilities.

1. Public conservatories and greenhouses.
2. Public golf courses.
3. Public park, and playgrounds.
4. Public community center buildings, clubhouses, recreation buildings, swimming pools and buildings for indoor pools, tennis courts and buildings for indoor tennis courts,

noncommercial and not-for-profit.

C. Public and governmental land and buildings.

1. Aquariums.
2. Art galleries.
3. Fire stations.
4. Forest Preserves.
5. Historical buildings and landmarks preserved for the public.
6. Police stations.
7. Post offices.
8. Public libraries.
9. Public museums.
10. Public office buildings.

7.1.4. Special uses. A special use may be allowed subject to issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the P-1 District:

A. Recreation and social facilities.

1. Public athletic fields and stadiums.

B. Public and governmental land and buildings.

1. Airports and heliports.
2. Animal shelters and pounds.
3. Convention halls and centers.
4. Hospitals.
5. Institutions for the care or treatment of mental illness, drug or alcohol addiction.
6. Landfills, sanitary or solid waste.
7. Highway maintenance facilities or storage yards.
8. Prisons and correctional facilities.

9. Radar installations and towers.
10. Waste transfer facilities.
11. Transitional residences.
12. Sewage treatment plants.
13. Water towers.
14. Youth camps.
15. Zoos.

C. Miscellaneous.

1. Publicly owned property and structures used for public purposes.

7.1.5. Temporary uses. The P-1 Public Land District does not allow temporary uses, except for not for profit activities conducted on school property where the generated proceeds, if applicable, are directed back to the not for profit for noncommercial use. Permitted use under this section shall be effective upon adoption and sunset on August 1, 2011.

7.1.6. Accessory uses. A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry.

Accessory uses may include the following and similar uses:

- A. Athletic fields and stadiums accessory to educational institutions.
- B. Commercial sale of food or nonalcohol beverages incidental to public structures or facilities.
- C. Fallout shelters as regulated by this ordinance.
- D. Gardens.
- E. Public garages and parking lots.
- F. Signs as regulated by Article 12.
- G. Vending machines.
- H. Water retention and detention areas.

7.1.7. Prohibited uses. All uses not expressly authorized in Sections 7.1.3 through 7.1.6 are prohibited.

7.1.8. Site and structure provisions. The uses in the P-1 Public Land District shall conform to the

following requirements:

- A. *Minimum lot area.* Minimum lot area is not required, except that each residential use accessory to an educational institution shall have a lot area of not less than 500 square feet for each room used as living or sleeping quarters.
- B. *Minimum lot width.* Minimum lot width is not required.
- C. *Front yard.* Buildings and structures shall be set back from the front lot line at least the required front yard setback of the adjacent zoning district. If a property classified as P-1 is adjacent to more than one zoning district, all structures shall be set back from the front lot line at least the required front yard setback of the adjacent zoning district requiring the greatest setback.
- D. *Interior side yard (adjacent to a zoning lot).* Interior side yard is not required.
- E. *Corner side yard (adjacent to a street).* Buildings and structures shall be set back in from the side lot line adjacent to a street right-of-way at least 25 feet.
- F. *Rear yard.* Rear yard is not required, except for structures containing residential uses incidental to an educational institution. A rear yard shall be at least 25 feet in depth.
- G. *Transitional yard.* Minimum transitional yard requirements for all structures shall be at least those specified below:
 - 1. Side lot lines that abut a side or rear lot line in a residence district shall provide a yard along the side lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
 - 2. Rear lot lines that abut a side lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
 - 3. Rear lot lines that abut a rear lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least 20 feet in depth.
 - 4. Front or side lot lines across a street, alley or other right-of-way from the front lot line of a lot located in a residence district shall provide a yard at least the minimum front yard required by this ordinance on the adjacent residential lot along the front or side lot line.
- H. *Floor area ratio.* Maximum floor area ratio shall be 1:2. Floor area ratio of accessory buildings shall be included in the total allowable floor area permitted on the zoning lot. Floor area devoted to off-street parking or loading facilities shall not be counted in the floor areas used to determine floor area ratio.

7.1.9. *Special provisions.* The uses in the P-1 Public Land District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to the applicable requirements for off-street parking and loading set forth in Article 11.
- B. *Signs.* Uses shall conform to Article 12.

C. *Trucks.* Parking of trucks as an accessory use, when used in the conduct of a permitted use located within 150 feet of a residence district boundary line, shall be limited to vehicles of less than three-ton capacity.

D. *Sewer and water.* Dwellings and uses requiring sanitary facilities shall be served by a municipal sewer and water system, a private community sewer and water system, or a private individual sewage disposal and water supply system. Systems shall be approved by the Cook County Health Department.

This item was WITHDRAWN at the request of the sponsor.

PROPOSED ORDINANCE

Submitting a Proposed Ordinance sponsored by

JESUS G. GARCIA, County Commissioner

PROPOSED ORDINANCE

POLICY FOR RESPONDING TO ICE DETAINERS

WHEREAS, Cook County is a “Fair and Equal County for Immigrants,” as defined in 07-R-240; and

WHEREAS, there is ongoing confusion regarding the proper boundaries of the relationship between local law enforcement and Immigration and Customs Enforcement (“ICE”); and

WHEREAS, this is especially true in the context of ICE detainers, which are issued pursuant to 8 USC § 1226 or 8 USC § 1357(d), and used by the Department of Homeland Security (“DHS”) to advise local law enforcement agencies that DHS seeks custody of an individual presently in the custody of that agency; and

WHEREAS, 8 CFR § 287.7 expressly provides that ICE detainers are merely “requests” that local law enforcement advise DHS when the individual is due to be released, and that the agency continue holding the individual beyond the scheduled time of release for up to 48 hours, excluding weekends and federal holidays, in order for ICE to arrange to assume custody; and

WHEREAS, due to troubling inconsistencies in ICE policies, many local law enforcement agencies erroneously believe ICE detainers are mandatory and that local law enforcement agencies are legally required to comply; and

WHEREAS, ICE detainers are generally issued before a finding of probable cause that an individual is deportable, and have even been imposed on U.S. Citizens by mistake; and

WHEREAS, ICE detainers are routinely imposed on individuals, including minors, without any criminal convictions or whose cases are dismissed, but the federal government only reimburses part of the costs associated with ICE detainers imposed on undocumented individuals who are convicted of a felony or two misdemeanors and detained for four or more consecutive days if there is a written agreement with the State or local subdivision of a State, pursuant to 8 USC § 1231(i); and

WHEREAS, ICE will not indemnify local agencies for costs or liability incurred as a result of wrongful detainees; and

WHEREAS, it costs Cook County approximately \$43,000 per day to hold individuals “believed to be undocumented” pursuant to ICE detainees, and Cook County can no longer afford to expend taxpayer funds to incarcerate individuals who are otherwise entitled to their freedom; and

WHEREAS, the enforcement of immigration laws is a responsibility of the federal government; and

WHEREAS, ICE detainees encourage racial profiling and harassment; and

WHEREAS, having local law enforcement participate in the enforcement of ICE detainees places a great strain on our communities by eroding the public trust that local law enforcement depends on to secure the accurate reporting of criminal activity and to prevent and solve crimes; and

WHEREAS, by means of this ordinance, Cook County joins states, cities, and counties across the nation that are informed about the discretionary nature of ICE detainees and refuse to enforce them, except in situations where federal reimbursement may be available.

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 46 Law Enforcement, Section 46-37 of the Cook County Code is hereby enacted as follows:

Sec. 46-37. Policy for responding to ICE detainees.

(a) No individual shall be asked about his/her place of birth, country of origin, citizenship, or immigration status upon admission or booking to the Cook County Department of Corrections or Juvenile Temporary Detention Center.

(b) Local law enforcement shall not facilitate or allow any telephone communication between an individual and any ICE official without a court order requiring it.

(c) Any individual who has bondable charges upon admission shall be allowed to post bond to secure his/her release.

(d) Local law enforcement shall not comply with ICE detainees unless the following conditions are met:

- (1) The individual who is the subject of an ICE detainer has been convicted of at least one felony or two misdemeanors, excluding sealed or expunged criminal records, by the scheduled time of release; and
- (2) There is a written agreement with the State or local subdivision of a State, pursuant to 8 USC § 1231(i), by which all costs incurred by Cook County in complying with the ICE detainer shall be reimbursed.

(e) If the conditions for compliance provided in subsection (d) above are met, then the individual shall be provided with a copy of ICE Form I-247 and ICE officers will be given up to 48 hours, excluding weekends and federal holidays, from the time the individual would otherwise be entitled to release to pick him/her up. If the individual is not picked up by ICE within the 48 hour period, he/she shall be released.

(f) Unless ICE agents have a criminal warrant, they shall not be given access to individuals or allowed to use County facilities for investigative interviews or other purposes, and County personnel shall not expend their time responding to ICE inquiries or communicating with ICE regarding individuals' incarceration status or release dates.

(g) There being no legal authority upon which the federal government may compel an expenditure of County resources to comply with an ICE detainer issued pursuant to 8 USC § 1226 or 8 USC § 1357(d), there shall be no expenditure of any County resources or effort by County personnel for this purpose, except as expressly provided herein.

(h) Any person who alleges a violation of this policy may file a written complaint for investigation with the Independent Inspector General of Cook County.

Effective Date: This Ordinance shall be in effect immediately upon adoption.

This item was WITHDRAWN at the request of the sponsor.

PROPOSED RESOLUTION

Submitting a Proposed Resolution sponsored by

BRIDGET GAINER, County Commissioner

PROPOSED RESOLUTION

**PROPOSED RESOLUTION AMENDING THE FINANCE PENSION SUB-COMMITTEE NAME
TO FINANCE PENSION AND BENEFITS SUB-COMMITTEE**

WHEREAS, the Standing Committees and Subcommittees of the Cook County Board, as well as the number of members and Chair and Vice-Chair of each, have already been established; now, therefore,

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF COOK COUNTY, ILLINOIS, that the following Commissioners are designated and appointed as members of the Committees (identified by all capital letters) and Subcommittees (identified by initial capital letters) of the Cook County Board in addition to the Chair and Vice-Chair of the respective Committees and Subcommittees:

AUDIT

Members: Daley
Goslin
Butler
Gainer
Gorman
Reyes
Schneider

CAPITAL IMPROVEMENTS

Members: Murphy
Butler
Garcia
Gorman
Schneider
Silvestri

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			Sims Steele Tobolski
CONTRACT COMPLIANCE	Members:		Steele Silvestri Butler Garcia Gorman Goslin Murphy Reyes Sims
CRIMINAL JUSTICE	Members:		All Commissioners, including the Chair and Vice-Chair
ENVIRONMENTAL CONTROL	Members:		Gorman Steele Gainer Murphy Schneider Silvestri Tobolski
FINANCE	Members:		All Commissioners, including the Chair and Vice-Chair
Labor	Members:	Murphy	Garcia Butler Fritchey Gainer Reyes Sims
Litigation	Members:		Silvestri Fritchey Collins Gainer Schneider Suffredin Tobolski
Pension <u>and Benefits</u>	Members:		Gainer Goslin Murphy Schneider Steele

		Suffredin Tobolski
Real Estate and Business and Economic Development	Members:	Garcia Murphy Butler Gorman Reyes Schneider Steele
Tax Delinquency	Members:	Sims Goslin Butler Collins Gorman Murphy Tobolski
Workers' Compensation	Members:	Schneider Reyes Fritchey Garcia Tobolski
HEALTH AND HOSPITALS	Members:	All Commissioners, including the Chair and Vice-Chair
HOMELAND SECURITY AND EMERGENCY MANAGEMENT	Members:	All Commissioners, including the Chair and Vice-Chair
HUMAN RELATIONS	Members:	Steele Silvestri Collins Fritchey Reyes Sims Suffredin
LAW ENFORCEMENT	Members:	Reyes Silvestri Butler Fritchey Gorman Goslin Tobolski

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LEGISLATION AND INTERGOVERNMENTAL RELATIONS	Members:	All Commissioners, including the Chair and Vice-Chair
ROADS AND BRIDGES	Members:	All Commissioners, including the Chair and Vice-Chair
RULES AND ADMINISTRATION	Members:	Suffredin Gorman Daley Fritchey Gainer Schneider Silvestri Sims Steele
TECHNOLOGY	Members:	Fritchey Gorman Butler Daley Garcia Goslin Schneider Silvestri Steele
VETERANS	Members:	Reyes Tobolski Daley Schneider Suffredin
WORKFORCE, JOB DEVELOPMENT AND TRAINING OPPORTUNITIES	Members:	Collins Garcia Sims Suffredin Tobolski
ZONING AND BUILDING	Members:	All Commissioners, including the Chair and Vice-Chair

NOW, THEREFORE, WE, the Cook County Board of Commissioners, do hereby approve this Resolution.

This item was WITHDRAWN at the request of the sponsor.

* * * * *

Submitting a Proposed Resolution sponsored by

BRIDGET GAINER, County Commissioner

PROPOSED RESOLUTION

**PROPOSED RESOLUTION AMENDING THE FINANCE PENSION SUB-COMMITTEE NAME
TO FINANCE PENSION AND BENEFITS SUB-COMMITTEE**

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF COOK COUNTY, ILLINOIS, that the following Commissioners are designated and appointed as President Pro Tempore and as Chairpersons and Vice-Chairpersons of the Standing Committees and Subcommittees of the Board.

Section 1. The President Pro Tempore of the Cook County Board shall be Commissioner Steele.

Section 2. The Chairpersons and Vice-Chairpersons of the Committees (identified by all capital letters) and of the Subcommittees (identified by initial capital letters) of the Cook County Board shall be as follows:

AUDIT (7 members)	Chair:	Daley
	Vice-Chair:	Goslin
CAPITAL IMPROVEMENTS (9 members)	Chair:	Murphy
	Vice-Chair:	Butler
CONTRACT COMPLIANCE (9 members)	Chair:	Steele
	Vice-Chair:	Silvestri
CRIMINAL JUSTICE (Committee of the Whole)	Chair:	Collins
	Vice-Chair:	Reyes
ENVIRONMENTAL CONTROL (7 members)	Chair:	Gorman
	Vice-Chair:	Steele
FINANCE (Committee of the Whole)	Chair:	Daley
	Vice-Chair:	Sims
Labor (7 members)	Chair:	Murphy
	Vice-Chair:	Garcia
Litigation (7 members)	Chair:	Silvestri
	Vice-Chair:	Fritchey
Pension <u>and Benefits</u> (7 members)	Chair:	Gainer
	Vice-Chair:	Goslin
Real Estate and Business and Economic Development (7 members)	Chair:	Garcia
	Vice-Chair:	Murphy

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Tax Delinquency (7 members)	Chair:	Sims
	Vice-Chair:	Goslin
Workers' Compensation (5 members)	Chair:	Schneider
	Vice-Chair:	Reyes
HEALTH AND HOSPITALS (Committee of the Whole)	Chair:	Butler
	Vice-Chair:	Goslin
COOK COUNTY HOMELAND SECURITY AND EMERGENCY MANAGEMENT (Committee of the Whole)	Chair:	Tobolski
	Vice-Chair:	Gainer
HUMAN RELATIONS (7 members)	Chair:	Steele
	Vice-Chair:	Silvestri
LAW ENFORCEMENT (7 members)	Chair:	Reyes
	Vice-Chair:	Silvestri
LEGISLATION AND INTERGOVERNMENTAL RELATIONS (Committee of the Whole)	Chair:	Suffredin
	Vice-Chair:	Fritchey
ROADS AND BRIDGES (Committee of the Whole)	Chair:	Sims
	Vice-Chair:	Gorman
RULES AND ADMINISTRATION (7 members)	Chair:	Suffredin
	Vice-Chair:	Gorman
TECHNOLOGY (9 members)	Chair:	Fritchey
	Vice-Chair:	Gorman
VETERANS (5 members)	Chair:	Reyes
	Vice-Chair:	Tobolski
WORKFORCE, JOB DEVELOPMENT AND TRAINING OPPORTUNITIES (5 members)	Chair:	Collins
	Vice-Chair:	Garcia
ZONING AND BUILDING (Committee of the Whole)	Chair:	Silvestri
	Vice-Chair:	Murphy

NOW, THEREFORE, WE, the Cook County Board of Commissioners do hereby approve this Resolution.

This item was WITHDRAWN at the request of the sponsor.

* * * * *

Submitting a Proposed Resolution sponsored by

GREGG GOSLIN, ~~and~~ TIMOTHY O. SCHNEIDER and PETER N. SILVESTRI,
County Commissioners

PROPOSED RESOLUTION

EXPENDITURE REPORT FOR ALL ELECTED OFFICIALS

WHEREAS, like other local and state governments Cook County has been experiencing a budget crisis for the last several years; and

WHEREAS, as the unit of government responsible for the County's overall budget it is incumbent upon the Cook County Board of Commissioners to closely monitor spending throughout the current fiscal year; and

WHEREAS, the Cook County Comptroller currently tracks all spending, including that of all elected officials and departments, within the County thru the Quarterly Appropriation Trial Balance; and

WHEREAS, in an effort to streamline the information the Comptroller is directed to prepare a separate report detailing the spending of all County elected officials on a mid-year and year-end basis, and said reports will have no fiscal impact as the information is already tracked by the Comptroller.

NOW, THEREFORE, BE IT RESOLVED, that an expenditure report for elected officials shall be distributed twice a year encompassing expenditures from December 1st to June 30th and July 1st thru November 30th; and

BE IT FURTHER RESOLVED, that the expenditure report be distributed no more than 30 days after the end of the reporting period.

Commissioner Goslin, seconded by Commissioner Schneider, moved that the Proposed Resolution be approved and adopted.

Following discussion, the Proposed Resolution was WITHDRAWN at the request of the sponsor.

RESOLUTIONS

**11-R-248
RESOLUTION**

Sponsored by

THE HONORABLE ELIZABETH "LIZ", DOODY GORMAN, COUNTY COMMISSIONER

Co-Sponsored by

THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND WILLIAM M. BEAVERS,

JERRY BUTLER, EARLEAN COLLINS, JOHN P. DALEY, JOHN A. FRITCHEY,

BRIDGET GAINER, JESUS G. GARCIA, GREGG GOSLIN, JOAN PATRICIA MURPHY,

EDWIN REYES, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS,

ROBERT B. STEELE, LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI

COUNTY COMMISSIONERS

WHEREAS, on June 30, 2011, the Village of Orland Hills celebrated the 50th anniversary of its founding; and

WHEREAS, Orland Hills is the youngest village in southwest Cook County and was originally founded under the name of Westhaven and in April, 1986, the name was changed to Orland Hills; and

WHEREAS, the Village's population in the 1970 U.S. Census was established at 470 and according to the 2010 U.S. Census has grown to a population of over 7,000 residents who enjoy the vast services of great schools, impressive village services including a great Public Works Department, top class Resource and Recreation Department, and superior police protection; and

WHEREAS, the Village of Orland Hills has been a leader in providing those services to its citizens in an economically sound and efficient way, and has incorporated innovative alternative revenue generation, allowing the continued reduction of Orland Hills property tax; and

WHEREAS, from its inception in 1961, the Village of Orland Hills has continued to grow in a positive and well planned manner, and with the adoption of their new Comprehensive Plan in 2004, established renewed and concentrated emphasis on future development of the village's residential and commercial prospects; and

WHEREAS, Orland Hills residents and officials held a gala event, from June 24 through June 26, 2011 at Kelly Park to mark this historic date.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cook County does hereby express its congratulations to the residents and public servants of the Village of Orland Hills on its 50th birthday, and wishes the entire Village continued success and prosperity in the future; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread across the journal of proceedings of this honorable body and that a suitable copy hereof be presented to the Village of Orland Hills.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Gorman, seconded by Commissioner Murphy, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

**11-R-249
RESOLUTION**

Sponsored by

THE HONORABLE ELIZABETH "LIZ", DOODY GORMAN AND

JOAN PATRICIA MURPHY, COUNTY COMMISSIONERS

**A RESOLUTION URGING THE ILLINOIS GENERAL ASSEMBLY TO PASS LEGISLATION
REQUIRING ALL UNITS OF GOVERNMENT IN ILLINOIS TO POST THE WAGES AND
BENEFIT PACKAGES OF ALL PUBLIC EMPLOYEES**

WHEREAS, the State of Illinois has the greatest number of governmental bodies in the nation at nearly 7,000 units of government; and

WHEREAS, it is the responsibility of government to be committed to the highest standards of integrity, honesty, efficiency and accountability among its officials and employees; and

WHEREAS, it is of tantamount importance that the taxpayers of every unit of government trust that their officials and employees are at all times working in the best interests of their constituents; and

WHEREAS, the Cook County Board has passed several “sunshine” measures to work toward a more open and honest government, including greater disclosure requirements in hiring, posting of employee wages online and placing the county “check register” online; and

WHEREAS, in fostering greater accountability of the officials charged with the responsibility of watching over the taxpayers’ best interests, every taxing body in the State of Illinois should be encouraged to make information as to the wages and benefits of their employees easily accessible to the people they represent.

NOW, THEREFORE BE IT RESOLVED by the Cook County Board of Commissioners that we strongly urge the Illinois General Assembly to pass legislation requiring every taxing body in the State of Illinois to post the wages and benefits of every public employee online so it may be easily accessed by the public; and

BE IT FURTHER RESOLVED, that the Cook County Board of Commissioners encourages every taxing body in Cook County to voluntarily post the wages and benefits of every public employee under their charge, online so their taxpayers may easily access that information; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Patrick Quinn, Senate President John Cullerton, House Speaker Michael Madigan, Senate Minority Leader Christine Radogno, House Minority Leader Tom Cross, and the executive directors of each cooperative municipal organization/association or Council of Government (COG) in Cook County.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Gorman, seconded by Commissioner Murphy, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

**11-R-250
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND JOAN PATRICIA MURPHY,
JERRY BUTLER, EARLEAN COLLINS, JOHN P. DALEY, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH “LIZ” DOODY GORMAN,
GREGG GOSLIN, EDWIN REYES, TIMOTHY O. SCHNEIDER,
PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE, LARRY SUFFREDIN
AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

**A RESOLUTION CALLING ON CONGRESS TO FULLY FUND THE
FEDERAL HIGH-SPEED RAIL PROGRAM IN THE 2012 BUDGET**

WHEREAS, the Upper Midwest region of the United States is one of the world's largest and most dynamic economies, but struggles to compete in the global market; and

WHEREAS, the Upper Midwest offers a diverse base of manufacturing, agriculture, academic and government research, and business services that are often too distant from our cities and from one another for effective business development and sharing of intellectual capital; and

WHEREAS, the Upper Midwest represents roughly one-third of the population of the United States but job growth in the region lags behind other regions of the world; and

WHEREAS, our reliance on oil-fueled airplanes and automobiles for intercity travel hurts the Midwest economy, especially with the rising price of oil; and

WHEREAS, fast, convenient and affordable travel is needed to facilitate a strong and vibrant economy; and

WHEREAS, an integrated network of 220-mph bullet trains and 90-110 mph regional trains linking cities and towns across the Midwest would transform the way we travel and do business by making travel more affordable and better connecting our business, manufacturing, agricultural, and research and development centers; and

WHEREAS, high-speed trains would strengthen our economy, drive productivity in the region's existing commercial arenas, encourage job growth, and help foster potential for business investment, entrepreneurship, technology development and advanced manufacturing; and

WHEREAS, the investment in a high-speed train network would lower our consumption of foreign oil, saving nearly 130 million gallons of gasoline a year while dramatically reducing carbon dioxide emissions into the environment; and

WHEREAS, the construction of a high-speed network would create nearly 300,000 high-quality construction, engineering and manufacturing jobs; and

WHEREAS, for example, a high-speed train between Minneapolis-St. Paul and Chicago would make the 408 mile trip in 2 hours, 40 minutes with hourly departures each way and a Chicago to New York high-

speed rail line with branches to Detroit and Washington, DC would potentially serve 60.4 million people along the 1,075 mile route including 9.7 million people in the Chicago metropolitan area and would take approximately five hours – the same time it takes to currently travel by air; and

WHEREAS, President Barack Obama has proposed an authorization of \$53 billion over the next 6 years for high-speed and inter-city passenger rail development as part of the Administration's surface transportation reauthorization proposal outline in its February budget; and

WHEREAS, President Barack Obama has proposed \$8 billion be appropriated in the 2012 budget in order to accelerate the development of a high-speed rail network and its subsequent benefits; and

WHEREAS, Congress did not fund any part of the high-speed rail program in the FY2011 Continuing Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the President and Cook County Board of Commissioners fully support an integrated network of high-speed trains and expanded Amtrak service as a key to economic development, job creation, fuel consumption reduction, and massive reduction of carbon dioxide emissions into the environment; and

BE IT FURTHER RESOLVED, that the President and Board of Commissioners of Cook County call on Congress to:

1. Include a program to develop an integrated network of high-speed trains and expanded Amtrak service in the upcoming federal transportation authorization legislation; and
2. Fully fund the federal high-speed rail program in the 2012 budget; and

BE IT FURTHER RESOLVED, that the Secretary to the Board of Commissioners of Cook County tender copies of this Resolution to President Obama, Vice-President Biden, and the members of the United States Congress.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Murphy, seconded by Commissioner Silvestri, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

CONSENT CALENDAR

11-R-251 RESOLUTION

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT
AND EARLEAN COLLINS AND ROBERT B. STEELE, COUNTY COMMISSIONERS**

Co-Sponsored by

**THE HONORABLE WILLIAM M. BEAVERS, JERRY BUTLER, JOHN P. DALEY,
JOHN A. FRITCHEY, BRIDGET GAINER, JESUS G. GARCIA,
ELIZABETH “LIZ” DOODY GORMAN, GREGG GOSLIN, JOAN PATRICIA MURPHY,
EDWIN REYES, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS,
LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

**CONGRATULATING YOLANDIS McCASKILL
THE BOYS AND GIRLS CLUB OF AMERICA 2011 ILLINOIS YOUTH OF THE YEAR**

WHEREAS, Yolandis McCaskill grew up on Chicago’s Westside, where she faced numerous challenges daily; and

WHEREAS, After a tragic car accident left Yolandis in the hospital during which time she had to miss almost an entire semester of school she had to work twice as hard to catch up;

WHEREAS, With Yolandis’ strong will, her grandmother’s guidance, and support from the Dr. Martin Luther King, Jr. Boys and Girls Club not only did she catch up in her school work, she excelled;

WHEREAS, Yolandis has been a member of the Boys and Girls Club of America for approximately 5 years; and

WHEREAS, She is very active participant in homework help, learns from the technology programs, and assists younger members of the club. In addition her other interests included the volleyball team and volunteering with the Keystone Club a teen group dedicated to leadership and community service; and

WHEREAS, Yolandis has been gainfully employed throughout high school in order to assist her grandparents who raised her. She was able to tutor neighborhood children, volunteer at Rush Hospital, and Garfield Park Conservatory. She also participated in countless extra-curricular activities-serving as the Vice President of the National Honors Society, volunteering as captain of the Know Your Heritage team, participating in academic challenges in the Worldwide Young Scientist and Engineers Organization and playing the clarinet in the School band; and

WHEREAS, Yolandis, recognized that a good quality education will provide her with endless possibilities, On My 29th Yolandis graduated from Providence St. Mel High School as the valedictorian with a 3.96 GPA. In the fall, she will further her educational opportunities by attending Notre Dame University to study biomedical engineering; and

WHEREAS, Yolandis was also chosen as the Regional Youth of the Year for the Midwest, winning a \$10,000 scholarship from Tupperware Brands. She is now one of five teens nationwide who will travel to Washington D.C. to participate in the highly esteemed National Youth of the Year competition and have the opportunity to meet President Barack Obama and be honored at the Congressional Breakfast; and

WHEREAS, Yolandis describes participating in the Dr. Martin Luther King Jr. Boys and Girls Club as follows “I not only cherish the fact that I have others to support and believe in me, but I can now say the most important quality that I have gained over the years is to believe in myself.”

NOW THEREFORE, BE IT RESOLVED, that the President and Board of Commissioners of Cook County do hereby congratulate and commend Ms. Yolandis McCaskill for being the 2011 Illinois Youth of the Year on behalf of the Boys and Girls Clubs of America. We wish her well as she travels to Washington D.C. to compete for the title of National Youth of the Year and may your pursuit for educational excellence exceed your expectations.

BE IT FURTHER RESOLVED, that a suitable copy be spreaded upon the official proceedings of this body and a suitable copy be prepared for Ms. Yolandis McCaskill to commemorate the auspicious occasion.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Murphy, seconded by Commissioner Butler, moved to suspend Section 2-107(g)(1) Order of business. **The motion carried unanimously.**

Commissioner Steele, seconded by Commissioner Butler, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**11-R-252
RESOLUTION**

Sponsored by

THE HONORABLE LARRY SUFFREDIN, COUNTY COMMISSIONER

Co-Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND WILLIAM M. BEAVERS,
JERRY BUTLER, EARLEAN COLLINS, JOHN P. DALEY, JOHN A. FRITCHEY,
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH "LIZ" DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER,
PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE AND JEFFREY R. TOBOLSKI
COUNTY COMMISSIONERS**

IN MEMORY OF IFTI NASIM

WHEREAS, Ifti Nasim of Chicago, Illinois, leader of the Pakistani Community in Cook County, died April 25, 2011; and

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WHEREAS, Mr. Nasim was a well-known poet whose works included biographical poems on his life as a gay Pakistani Muslim, as well as global politics and advocacy for Muslims after the September 11, 2001 terrorist attacks; and

WHEREAS, Mr. Nasim was also a prominent activist for gay Muslims and promoter of peace; and

WHEREAS, Mr. Nasim was born in Lyallpur (now Faisalabad), Pakistan and began his activism at an early age; and

WHEREAS, Mr. Nasim is survived by a sister, Ajaz Nasreen; and

WHEREAS, Mr. Nasim was 16 years old when he was shot in the leg for reading a poem at a protest against martial law in Pakistan; and

WHEREAS, Mr. Nasim came to the United States and enrolled at Wayne State University in Detroit to perfect his writing style; and

WHEREAS, Mr. Nasim moved to Chicago in 1974 and became a writer of poetry; and

WHEREAS, Mr. Nasim published multiple books of poems, one of which named “Narman” (which means hermaphrodite in Persian) sparked a poetry movement called “narmani” or “honest poetry;” in India and Pakistan; and

WHEREAS, Mr. Nasim was recently honored by the New York City Gay Asian Community for his poetry; and

WHEREAS, Mr. Nasim co-founded Sangat/Chicago, a South Asian Les/Bi/Gay/Transgender organization and support group in 1986; and

WHEREAS, Mr. Nasim was a leader of the Sangat/Chicago parade group annually and the gay pride parade; and

WHEREAS, Mr. Nasim also hosted a South Asian radio program called “Sargam” Radio which brought the best of India and Pakistan to Chicago Audiences; and

WHEREAS, Mr. Nasim was also known for his love of fashion and dress, especially his mirror-ball jacket, elaborate embroidered jackets and generally fun clothes; and

WHEREAS, Mr. Nasim was inducted into the Chicago Gay and Lesbian Hall of Fame in 1996; and

WHEREAS, Mr. Nasim worked hard to improve the life of all in Cook County; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cook County does hereby offer its deepest condolences and most heartfelt sympathy to the family and friends of Ifti Nasim and joins them in sorrow at this time of loss; and

BE IT FURTHER RESOLVED, that a suitable copy of this Resolution be spread upon the official proceedings of this Honorable Body and that an official copy of same be tendered to the family of Ifti Nasim so that his memory may be so honored and ever cherished.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Murphy, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**11-R-253
RESOLUTION**

Sponsored by

**THE HONORABLE JEFFREY R. TOBOLSKI, COUNTY COMMISSIONER
AND TONI PRECKWINKLE, PRESIDENT**

Co-Sponsored by

**THE HONORABLE WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS,
JOHN P. DALEY, JOHN A. FRITCHEY, BRIDGET GAINER, JESUS G. GARCIA,
ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN, JOAN PATRICIA MURPHY,
EDWIN REYES, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS,
ROBERT B. STEELE AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

**A RESOLUTION TO HONOR THE WOUNDED AND ILL MEMBERS OF THE
ARMED FORCES AND THE SILVER STAR FAMILIES OF AMERICA**

WHEREAS, the County of Cook has always honored the sacrifice of the men and women in the Armed Forces; and

WHEREAS, The Silver Star Families of America was formed to make sure we remember the blood sacrifice of our wounded and ill by designing and manufacturing a Silver Star Banner and Flag; and

WHEREAS, to date The Silver Star Families of America has freely given thousands of Silver Star Banners to the wounded and their families; and

WHEREAS, the members of The Silver Star Families of America have worked tirelessly to provide the wounded of this County and Country with Silver Star Banners, Flags and care packages; and

WHEREAS, The Silver Star Families of America's sole mission is that every time someone sees a Silver Star Banner in a window or a Silver Star Flag flying, that people remember that soldier's sacrifice for this County, State and Nation; and

WHEREAS, the people and leadership of Cook County wish that the sacrifice of so many in our Armed Forces never be forgotten.

NOW THEREFORE, BE IT RESOLVED, that the President and Commissioners of the Cook County Board do hereby express their appreciation of The Silver Star Families of America and honors their commitment to our wounded Armed Forces members; and

BE IT FURTHER RESOLVED, that the President and Commissioners of the Cook County Board thank Gordan Marsh for his extraordinary service and dedication to our Country; and

BE IT FURTHER RESOLVED, that a Silver Star Banner and a suitable copy of this resolution be presented to Gordan Marsh, a true American military hero and patriot who has served his Country with honor and dignity.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Murphy, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

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**11-R-254
RESOLUTION**

Sponsored by

**THE HONORABLE JEFFREY R. TOBOLSKI, COUNTY COMMISSIONER
AND TONI PRECKWINKLE, PRESIDENT**

Co-Sponsored by

**THE HONORABLE WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS,
JOHN P. DALEY, JOHN A. FRITCHEY, BRIDGET GAINER, JESUS G. GARCIA,
ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN, JOAN PATRICIA MURPHY,
EDWIN REYES, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS,
ROBERT B. STEELE AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

WHEREAS, Arthur E. Rawers faithfully served the United States in World War II in the Navy aboard the U.S.S. Dayton as a CL 105 in both the Pacific and Atlantic theaters; and

WHEREAS, Arthur E. Rawers faithfully served the United States in World War II in the Navy aboard the U.S.S. Dayton as a CL 105 in both the Pacific and Atlantic theaters; and

WHEREAS, immediately following his return home in 1946 Arthur E. Rawers joined the American

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Legion Stickney Post #687 and served in various roles over the past fifty-six years including Judge Advocate, Parliamentarian, Adjutant, Finance Officer, Senior Vice-Commander, and Commander; and

WHEREAS, Arthur E. Rawers enjoyed his service to the American Legion so much that he also represented the Fifth District as Junior Vice Commander, Senior Vice Commander, and then ultimately Commander in 1970; and

WHEREAS, Arthur E. Rawers gained so much respect amongst his fellow veterans that he was asked to represent them in the First Division (Cook County Council) as Junior Vice Commander, Senior Vice Commander, and then ultimately as Commander from 1988 to 1989; and

WHEREAS, Arthur E. Rawers tirelessly served on the staff of American Legion Premier Boys State, Leadership in the Land of Lincoln School, for twenty-seven years, currently serving as Vice-President of the Board of Directors; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Cook County hereby thanks Arthur E. Rawers for all that he has given to the community through his work on behalf of our veterans and our youth; and

BE IT FURTHER RESOLVED that a suitable copy of this resolution be tendered to Arthur E. Rawers in recognition of his good works, and the esteem in which he is held by the Cook County Board: and that it also be spread upon the proceedings of this honorable body.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Murphy, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

REPORT OF THE COMMITTEE ON ZONING AND BUILDING

July 27, 2011

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Silvestri, Vice Chairman Murphy, Commissioners Butler, Collins, Daley, Fritchey, Gainer, Garcia, Gorman, Goslin, Reyes, Schneider, Sims, Steele, Suffredin and Tobolski (16).

Absent: Commissioner Beavers (1).

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Ladies and Gentlemen:

Your Committee on Zoning and Building, having had under consideration the matters hereinafter mentioned, respectfully reports and recommends as follows:

313881 DOCKET #8742 – R. KORONA, Owner, Application (No. V-11-27): Variation to reduce front yard setback from 30 feet to 18 feet (existing); and reduce right side yard setback from 10 feet 5.8 feet (existing) for a second story addition in the R-5 Single Family Residence District. The subject property consists of approximately 0.50 of an acre, located on the east side of Alta Street, approximately 64 feet north of Barry Avenue in Leyden Township, County Board District #17. Recommendation: That the application be granted.

Conditions: None

Objectors: None

313882 DOCKET #8743 – V. TIMOTIJEVIC, Owner, Application (No. V-11-28): Variation to reduce lot area from 20,000 square feet to 16,000 square feet (existing) for a single family residence in the R-4 Single Family Residence District. The subject property consists of approximately 0.37 of an acre, located on the south side of 59th Street, approximately 300 feet west of Edgewood Avenue in Lyons Township, County Board District #16. Recommendation: That the application be granted.

Conditions: None

Objectors: None

313883 DOCKET #8744 – J. TOLAN, Owner, Application (No. V-11-29): Variation to increase height of fence in front yard from 3 feet to 10 feet and 6 feet in the R-4 Single Family Residence District. The subject property consists of approximately 1.94 acres, located on the south side of 131st Street, approximately 124 feet east of Windward Terrace in Palos Township, County Board District #17. Recommendation: That the application be granted.

Conditions: None

Objectors: None

313884 DOCKET #8745 – R. LOPEZ, Owner, Application (No. V-11-30): Variation to reduce right side yard setback from 10 feet to 3 feet (existing); and reduce front yard setback from 30 feet to 29 feet (existing) to replace a detached garage in the R-5 Single Family Residence District. The subject property consists of approximately 0.26 of an acre, located on the east side of Emerson Street, approximately 60 feet north of Dickens Avenue in Leyden Township, County Board District #16. Recommendation: That the application be granted.

Conditions: None

Objectors: None

Vice Chairman Murphy, seconded by Commissioner Tobolski, moved the approval of Communication Nos. 313881, 313882, 313883 and 313884. The motion carried.

- 313885 ELGIN, JOLIET AND EASTERN RAILWAY COMPANY, Owner, 17641 South Ashland Avenue, Chicago Heights, Illinois 60411, Application (No. SU-11-08; Z11039). Submitted by Anthony S. Pakeltis, Manager of Transportation Planning Parsons, 10 South Riverside Plaza, Suite 400, Chicago, Illinois 60606. Seeking a SPECIAL USE, UNIQUE USE in the R-4 Single Family Residence District to allow construction of a noise barrier wall in Section 20 of Hanover Township. Property consists of approximately 4.023 acres located on the south side of Chicago-Elgin Road approximately 164.37 feet east of Littleton Trail in Hanover Township, County Board District #15. Intended use: To provide a rail noise wall to protect residents from rail noise.
- 313886 ELGIN, JOLIET AND EASTERN RAILWAY COMPANY, Owner, 17641 South Ashland Avenue, Chicago Heights, Illinois 60411, Application (No. SU-11-09; Z11040). Submitted by Anthony S. Pakeltis, Manager of Transportation Planning Parsons, 10 South Riverside Plaza, Suite 400, Chicago, Illinois 60606. Seeking a SPECIAL USE, UNIQUE USE in the R-4 and R-3 Single Family Residence Districts to allow construction of noise barrier wall in Sections 16 and 9 of Hanover Township. Property consists of approximately 7.783 acres located on the north side of Golf Road approximately 1,579 feet east of Rohrson Road in Hanover Township, County Board District #15. Intended use: To provide a rail noise wall to protect residents from rail noise.
- 313887 METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO Owner, 100 East Erie Street, Chicago Illinois 60611, Application (No. SU-11-10; Z11041). Submitted by Illinois Marine Towing, Inc., 379 River Street, Lemont, Illinois 60439. Seeking a SPECIAL USE, UNIQUE USE in the I-3 Intensive Industrial District for barge product transfer and cleaning facility in Sections 20 and 21 of Lemont Township. Property consists of approximately 17.1838 acres located 3,375 feet east of the easterly line of Lemont Road on the south side of east Canal Bank Road and the north side of the Chicago Sanitary and Ship Canal in Lemont Township, County Board District #17. Intended use: Barge product transfer and cleaning facility.

Vice Chairman Murphy, seconded by Commissioner Steele, moved that Communication Nos. 313885, 313886 and 313887 be referred to the Zoning Board of Appeals. The motion carried.

Commissioner Gorman moved to adjourn. Seconded by Commissioner Sims, the motion carried and the meeting was adjourned.

Respectfully submitted,

COMMITTEE ON ZONING AND BUILDING

PETER N. SILVESTRI, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Silvestri, seconded by Commissioner Murphy, moved that the Report of the Committee on Zoning and Building be approved and adopted. **The motion carried unanimously.**

REPORT OF THE COMMITTEE ON ROADS AND BRIDGES

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July 27, 2011

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Sims, Vice Chairman Gorman, Commissioners Butler, Collins, Daley, Fritchey, Gainer, Garcia, Goslin, Murphy, Reyes, Schneider, Silvestri, Steele, Suffredin and Tobolski (16).

Absent: Commissioner Beavers (1).

Ladies and Gentlemen:

Your Committee has considered the following communications from Rupert F. Graham, Jr., P.E., Superintendent of Highways, recommending for approval change in plans and extra work in the construction of certain highway improvements.

313606 COUNTY HIGHWAY DEPARTMENT, by Rupert F. Graham, Jr., P.E., Superintendent of Highways, submitting recommendation for change in plans and extra work on Section: 04-B8431-08-PV. Federal Project No.: CMM-HPD-M8003-(427). State Job No.: C-91-278-04. 171st Street, Wood Street to Ashland Avenue in the City of Harvey and the Villages of East Hazel Crest and Hazel Crest in County Board Districts #5 and 6. Adjustment of quantities. \$106,575.59 (Deduction).

Vice Chairman Gorman, seconded by Commissioner Daley, moved the approval of Communication No. 313606. The motion carried.

313607 COUNTY HIGHWAY DEPARTMENT, by Rupert F. Graham, Jr., P.E., Superintendent of Highways, submitting the Bureau of Construction's Progress Report for the month ending May 31, 2011.

Vice Chairman Gorman, seconded by Commissioner Daley, moved to receive and file Communication No. 313607. The motion carried.

313608 COUNTY HIGHWAY DEPARTMENT, by Rupert F. Graham, Jr., P.E., Superintendent of Highways, submitting the Bureau of Construction's Progress Report for the month ending June 30, 2011.

Vice Chairman Gorman, seconded by Commissioner Daley, moved to receive and file Communication No. 313608. The motion carried.

Commissioner Daley moved to adjourn. Seconded by Commissioner Murphy, the motion carried and the meeting was adjourned.

Respectfully submitted,

COMMITTEE ON ROADS AND BRIDGES

DEBORAH SIMS, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Sims, seconded by Commissioner Gorman, moved that the Report of the Committee on Roads and Bridges be approved and adopted. **The motion carried unanimously.**

REPORT OF THE COMMITTEE ON FINANCE

July 27, 2011

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: President Preckwinkle and Chairman Daley, Vice Chairman Sims, Commissioners Butler, Collins, Fritchey, Gainer, Garcia, Gorman, Goslin, Murphy, Reyes, Schneider, Silvestri, Steele, Suffredin and Tobolski (16).

Absent: Commissioner Beavers (1).

Ladies and Gentlemen:

SECTION 1

Your Committee has considered the following court orders submitted by attorneys for payment of fees earned by said attorneys for defending indigent defendants.

Your Committee, therefore, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, authorized and directed to issue checks to said attorneys in the amounts recommended.

APPELLATE CASES

- 313761 MICHAEL J. VITALE, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$1,830.00 attorney fees regarding People of the State of Illinois v. Darron M. Trial Court No. 07-JA-460. Appellate Court No. 01-11-0130.
- 313774 ELEESHA MADELINE O'NEILL, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$5,533.50 attorney fees regarding People of the State of Illinois v. Robert L. Trial Court No. 07-JA-0002. Appellate Court No. 01-10-3785.
- 313824 S. MICHAEL KOZUBEK, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$2,298.00 attorney fees regarding

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People of the State of Illinois v. N.B. Trial Court No. 09-JA-652. Appellate Court No. 01-11-0649.

APPELLATE CASES APPROVED FISCAL YEAR 2011 TO PRESENT:	\$80,472.14
APPELLATE CASES TO BE APPROVED:	\$9,661.50

NON-CAPITAL CASES

- 313652 KIRK WITHERSPOON, Ph.D., Moline, Illinois, presented by Pradeep Roy-Singh, Attorney, submitting an Order of Court for payment of \$2,851.00 expert witness fees for the defense of an indigent defendant, Richard J. Monaco. Indictment No. 09-CR-80011 (Non-Capital Case).
- 313702 LORI G. LEVIN, Attorney, submitting an Order of Court for payment of \$905.00 attorney fees for the defense of an indigent defendant, James Stewart. Indictment No. 11-CR-4643 (Non-Capital Case).
- 313721 ERIC J. BELL, Attorney, submitting an Order of Court for payment of \$6,344.50 attorney fees for the defense of an indigent defendant, Daniel Salgado. Indictment No. 08-CR-80002 (Non-Capital Case).
- 313860 LUIS ROSELLE, Psy.D., LBR Psychological Consultants, Inc., Mount Pleasant, Iowa, presented by Stephen F. Potts, Attorney, submitting an Order of Court for payment of \$3,325.00 expert witness fees for the defense of an indigent defendant, Mark Melcher. Indictment No. 10-CR-80011 (Non-Capital Case).
- 313862 STEPHEN F. POTTS, Attorney, submitting an Order of Court for payment of \$821.25 attorney fees for the defense of an indigent defendant, John New, Jr. Indictment No. 05-CR-80002 (Non-Capital Case).
- 313864 STEPHEN F. POTTS, Attorney, submitting an Order of Court for payment of \$2,068.75 attorney fees for the defense of an indigent defendant, Edward Latko. Indictment No. 00-CR-80004 (Non-Capital Case).
- 313867 SHADES SERVICES, INC., Chicago, Illinois, presented by Richard S. Kling, Attorney, submitting an Order of Court for payment of \$3,937.50 expert witness fees (private investigator) for the defense of an indigent defendant, Willie Matthews. Indictment No. 07-CR-9132 (Non-Capital Case).
- 313868 LAW OFFICES OF CHICAGO-KENT COLLEGE OF LAW, presented by Richard S. Kling, Attorney, submitting an Order of Court for payment of \$27,876.25 attorney fees for the defense of an indigent defendant, Willie Matthews. Indictment No. 07-CR-9132 (Non-Capital Case).

NON-CAPITAL CASES APPROVED FISCAL YEAR 2011 TO PRESENT:	\$1,032,715.47
NON-CAPITAL CASES TO BE APPROVED:	\$48,129.25

DOMESTIC RELATIONS CIVIL CONTEMPT CASES

- 313665 MATTHEW A. INGRAM, Attorney, submitting an Order of Court for payment of attorney fees totaling \$409.00 for the defense of an indigent defendant, William Vinet. Domestic Relations Civil Contempt Case No. 05-D-12625.

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- 313837 PETER R. OLSON, Attorney, submitting an Order of Court for payment of attorney fees totaling \$770.00 for the defense of an indigent defendant, Zbigniew Gubala. Domestic Relations Civil Contempt Case No. 97-D-10221.
- 313838 PETER R. OLSON, Attorney, submitting an Order of Court for payment of attorney fees totaling \$576.75 for the defense of an indigent defendant, Jaime Tiscareno. Domestic Relations Civil Contempt Case No. 96-D-9048.
- 313875 ROTMAN & ELOVITZ, LTD., Chicago, Illinois, presented by Michael H. Rotman, Attorney, submitting an Order of Court for payment of attorney fees totaling \$2,794.00 for the defense of an indigent defendant, Sammy Williams. Domestic Relations Civil Contempt Case No. 02-D-091191.

DOMESTIC RELATIONS CIVIL CONTEMPT CASES APPROVED FISCAL YEAR 2011

TO PRESENT:	\$28,877.26
DOMESTIC RELATIONS CIVIL CONTEMPT CASES TO BE APPROVED:	\$4,549.75

JUVENILE CASES

- 313649 VICTORIA ALMEIDA, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$562.50 attorney fees for the defense of an indigent defendant, D. Peterson, a minor. Indictment No. 09-JA-1051 (Juvenile Case).
- 313650 VICTORIA ALMEIDA, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,006.25 attorney fees for the defense of an indigent defendant, D. Peterson, a minor. Indictment No. 09-JA-1051 (Juvenile Case).
- 313651 MICHAEL J. VITALE, Attorney, submitting an Order of Court for payment of \$925.00 attorney fees for the defense of an indigent defendant, Celika Crook, Mother, re: S. Givens, a minor. Indictment No. 09-JA-699 (Juvenile Case).
- 313653 PETER J. WOODS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$520.00 attorney fees for the defense of an indigent defendant, C. Smith, a minor. Indictment No. 05-JA-00313 (Juvenile Case).
- 313654 PAUL S. KAROLL, Attorney, submitting an Order of Court for payment of \$923.58 attorney fees for the defense of an indigent defendant, Alan Grandberry, Father, re: B. Reyes, a minor. Indictment No. 10-JA-427 (Juvenile Case).
- 313655 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$487.50 attorney fees for the defense of an indigent defendant, Shermine Agnew, Mother, re: J. Agnew, a minor. Indictment No. 10-JA-325 (Juvenile Case).
- 313656 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$375.00 attorney fees for the defense of indigent defendants, Jevon Ollins and Darnell Sears, Fathers, re: the Robertson and Sears children, minors. Indictment Nos. 09-JA-429, 09-JA-430 and 09-JA-431 (Juvenile Cases).
- 313657 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$962.50 attorney fees for the defense of an indigent defendant, Robert Pendleton, Father, re:

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the Tigner children, minors. Indictment Nos. 00-JA-1026, 00-JA-1027, 00-JA-1028 and 00-JA-1029 (Juvenile Cases).

- 313660 LAW OFFICE OF KENT DEAN, LTD., presented by Kent Dean, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$650.00 attorney fees for the defense of an indigent defendant, L. Wilson, a minor. Indictment No. 08-JA-00408 (Juvenile Case).
- 313661 CRYSTAL B. ASHLEY, Attorney, submitting an Order of Court for payment of \$637.50 attorney fees for the defense of an indigent defendant, Alberta Rone, Guardian, re: V. McCray, a minor. Indictment No. 98-JA-2068 (Juvenile Case).
- 313662 CRYSTAL B. ASHLEY, Attorney, submitting an Order of Court for payment of \$760.00 attorney fees for the defense of an indigent defendant, Tasha Brown, Mother, re: the Brown children, minors. Indictment Nos. 03-JA-837 and 03-JA-839 (Juvenile Cases).
- 313663 CRYSTAL B. ASHLEY, Attorney, submitting an Order of Court for payment of \$877.50 attorney fees for the defense of an indigent defendant, Natasha Lindsey, Mother, re: the Lindsey and Scates children, minors. Indictment Nos. 08-JA-1130, 08-JA-1131 and 08-JA-1132 (Juvenile Cases).
- 313664 CRYSTAL B. ASHLEY, Attorney, submitting an Order of Court for payment of \$535.00 attorney fees for the defense of an indigent defendant, Billy Marbury, Father, re: C. Marbury, a minor. Indictment No. 08-JA-984 (Juvenile Case).
- 313666 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$643.75 attorney fees for the defense of an indigent defendant, Alejandro Perez, Father, re: L. Perez, a minor. Indictment No. 09-JA-137 (Juvenile Case).
- 313667 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$2,575.00 attorney fees for the defense of an indigent defendant, Martha Romero, Mother, re: the Perez, Romero, Tecalero and Tinajero children, minors. Indictment Nos. 08-JA-1083, 08-JA-1084, 08-JA-1085, 09-JA-003 and 10-JA-1120 (Juvenile Cases).
- 313668 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$1,257.50 attorney fees for the defense of an indigent defendant, Fred Fauber, Father, re: C. Fauber, a minor. Indictment No. 11-JA-0190 (Juvenile Case).
- 313669 ILDIKO J. BODONI, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$512.50 attorney fees for the defense of indigent defendants, the Bowers children, minors. Indictment Nos. 04-JA-966 and 04-JA-967 (Juvenile Cases).
- 313670 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$687.50 attorney fees for the defense of an indigent defendant, Rita Parker, Mother, re: H. Curry and D. Parker, minors. Indictment Nos. 07-JA-690 and 07-JA-691 (Juvenile Cases).
- 313671 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$598.09 attorney fees for the defense of an indigent defendant, Sergio Diaz, Father, re: A. Diaz, a minor. Indictment No. 07-JA-345 (Juvenile Case).

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- 313672 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$453.78 attorney fees for the defense of an indigent defendant, Timothy May, Father, re: the Boyce children, minors. Indictment Nos. 99-JA-00156 and 99-JA-00157 (Juvenile Cases).
- 313673 ROBERT L. FRIEDMAN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$631.25 attorney fees for the defense of an indigent defendant, D. McNulty, a minor. Indictment No. 08-JA-642 (Juvenile Case).
- 313674 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$643.75 attorney fees for the defense of an indigent defendant, Vernetta Collier, Mother, re: the Collier, Elam and Morris children, minors. Indictment Nos. 06-JA-462, 06-JA-464 and 10-JA-56 (Juvenile Cases).
- 313675 ROBERT L. FRIEDMAN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,406.25 attorney fees for the defense of indigent defendants, the Israel and Jernagin children, minors. Indictment Nos. 07-JA-0071, 07-JA-0072 and 07-JA-0073 (Juvenile Cases).
- 313676 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$218.75 attorney fees for the defense of an indigent defendant, Elaine Rounds, Mother, re: C. Weaver, a minor. Indictment No. 01-JA-01853 (Juvenile Case).
- 313677 ERIC J. BELL, Attorney, submitting an Order of Court for payment of \$1,372.75 attorney fees for the defense of an indigent defendant, D. Burns, a minor. Indictment No. 07-JD-5242 (Juvenile Case).
- 313678 VICTORIA ALMEIDA, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$337.50 attorney fees for the defense of an indigent defendant, K. Short-Bey, a minor. Indictment No. 04-JA-1103 (Juvenile Case).
- 313679 VICTORIA ALMEIDA, Attorney, submitting an Order of Court for payment of \$612.50 attorney fees for the defense of an indigent defendant, Tresa Jackson, Mother, re: R. Houston, a minor. Indictment No. 08-JA-0040 (Juvenile Case).
- 313680 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$337.50 attorney fees for the defense of an indigent defendant, Humberto Navar, Father, re: D. Quinones, a minor. Indictment No. 07-JA-410 (Juvenile Case).
- 313681 VICTORIA ALMEIDA, Attorney, submitting an Order of Court for payment of \$675.00 attorney fees for the defense of an indigent defendant, Tresa Jackson, Mother, re: R. Houston, a minor. Indictment No. 08-JA-0040 (Juvenile Case).
- 313682 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$506.25 attorney fees for the defense of an indigent defendant, Shaun Poole, Sr., Father, re: S. Poole, a minor. Indictment No. 08-JA-687 (Juvenile Case).
- 313683 VICTORIA ALMEIDA, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$500.00 attorney fees for the defense of an indigent defendant, K. Short-Bey, a minor. Indictment No. 04-JA-1103 (Juvenile Case).

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- 313684 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$337.50 attorney fees for the defense of an indigent defendant, Steve Williams, Father, re: L. Williams, a minor. Indictment No. 08-JA-811 (Juvenile Case).
- 313685 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$650.00 attorney fees for the defense of an indigent defendant, Veronica Harris, Mother, re: C. Nash, a minor. Indictment No. 02-JA-00802 (Juvenile Case).
- 313686 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$462.50 attorney fees for the defense of an indigent defendant, Anthony Carter, Father, re: A. Carter, a minor. Indictment No. 01-JA-00254 (Juvenile Case).
- 313687 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$906.25 attorney fees for the defense of an indigent defendant, Leroy Felella, Father, re: S. Felella, a minor. Indictment No. 09-JA-00914 (Juvenile Case).
- 313688 RAYMOND A. MORRISSEY, Attorney, submitting an Order of Court for payment of \$950.00 attorney fees for the defense of an indigent defendant, Vanessa Sauseda, Mother, re: S. Booker, a minor. Indictment No. 04-JA-827 (Juvenile Case).
- 313689 RICHARD S. GUTOFF, Attorney, submitting an Order of Court for payment of \$200.00 attorney fees for the defense of an indigent defendant, Donna Harvey, Mother, re: B. Harvey, a minor. Indictment No. 08-JA-00364 (Juvenile Case).
- 313690 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$1,057.50 attorney fees for the defense of an indigent defendant, Anthony Robinson, Father, re: N. Daivs, a minor. Indictment No. 10-JA-683 (Juvenile Case).
- 313691 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$846.28 attorney fees for the defense of an indigent defendant, Quintin Johnson, Father, re: Q. Kelley, a minor. Indictment No. 09-JA-00075 (Juvenile Case).
- 313692 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$425.00 attorney fees for the defense of an indigent defendant, Scott Polaski, Father, re: H. Polaski, a minor. Indictment No. 08-JA-01107 (Juvenile Case).
- 313693 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$687.50 attorney fees for the defense of an indigent defendant, Jose Ortega, Father, re: A. Ortega, a minor. Indictment No. 09-JA-00593 (Juvenile Case).
- 313694 PAUL D. KATZ, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$875.00 attorney fees for the defense of indigent defendants, the Bailey and Schwedler children, minors. Indictment Nos. 09-JA-00943, 09-JA-00944 and 09-JA-00945 (Juvenile Cases).
- 313695 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$662.50 attorney fees for the defense of an indigent defendant, Albert Sykes, Jr., Father, re: the Sykes children, minors. Indictment Nos. 08-JA-00548 and 08-JA-00578 (Juvenile Cases).

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- 313696 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$775.00 attorney fees for the defense of an indigent defendant, L. Medina, a minor. Indictment No. 11-JD-40015 (Juvenile Case).
- 313697 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$500.00 attorney fees for the defense of an indigent defendant, Luis Escamilla, Father, re: the Escamilla children, minors. Indictment Nos. 08-JA-00324, 08-JA-00325 and 08-JA-00326 (Juvenile Cases).
- 313698 ADAM M. STERN, Attorney, submitting an Order of Court for payment of \$1,050.00 attorney fees for the defense of an indigent defendant, Marilu Morales, Mother, re: the Andrade, Ayala, Diaz, Rodriguez and Ruacho children, minors. Indictment Nos. 07-JA-342, 07-JA-343, 07-JA-344, 07-JA-345, 07-JA-346, 08-JA-372 and 10-JA-778 (Juvenile Cases).
- 313699 ROBERT A. HORWITZ, Attorney, submitting an Order of Court for payment of \$225.00 attorney fees for the defense of an indigent defendant, Ardie Taylor, Father, re: A. Taylor, a minor. Indictment No. 08-JA-436 (Juvenile Case).
- 313700 EZRA HEMPHILL, Attorney, submitting an Order of Court for payment of \$937.50 attorney fees for the defense of an indigent defendant, Catherine Pruitt, Mother, re: I. Rhodes, a minor. Indictment No. 09-JA-01116 (Juvenile Case).
- 313701 EZRA HEMPHILL, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$512.00 attorney fees for the defense of an indigent defendant, Eriko Donaldson, Mother, re: A. Donaldson, a minor. Indictment No. 08-JA-0850 (Juvenile Case).
- 313703 GILBERT C. SCHUMM, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$262.50 attorney fees for the defense of an indigent defendant, I. Harvey, a minor. Indictment No. 08-JA-470 (Juvenile Case).
- 313704 GILBERT C. SCHUMM, Attorney, submitting an Order of Court for payment of \$212.50 attorney fees for the defense of an indigent defendant, Lashound Davis, Mother, re: E. Davis, a minor. Indictment No. 96-JA-5815 (Juvenile Case).
- 313707 RANDY CRUMPTON, Attorney, submitting an Order of Court for payment of \$837.50 attorney fees for the defense of an indigent defendant, Dominique Harris, Mother, re: D. Harris, a minor. Indictment No. 08-JA-12 (Juvenile Case).
- 313708 RANDY CRUMPTON, Attorney, submitting an Order of Court for payment of \$600.00 attorney fees for the defense of an indigent defendant, David Dean, Mother's Paramour, re: the Dean children, minors. Indictment Nos. 09-JA-987, 09-JA-988 and 09-JA-989 (Juvenile Cases).
- 313709 VICTORIA ALMEIDA, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,025.00 attorney fees for the defense of indigent defendants, the Thomas children, minors. Indictment Nos. 06-JA-00342 and 06-JA-00343 (Juvenile Cases).
- 313710 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$762.50 attorney fees for the defense of an indigent defendant, Jessica Rivera, Mother, re: the Rivera children, minors. Indictment Nos. 09-JA-595 and 10-JA-0076 (Juvenile Cases).

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- 313711 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$462.50 attorney fees for the defense of an indigent defendant, Dennis Fox, Father, re: D. Fox, a minor. Indictment No. 06-JA-817 (Juvenile Case).
- 313712 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$1,425.00 attorney fees for the defense of an indigent defendant, Alberto Zavala, Father, re: the Zavala children, minors. Indictment Nos. 08-JA-1064 and 08-JA-1066 (Juvenile Cases).
- 313713 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$668.75 attorney fees for the defense of an indigent defendant, Roderick Blake, Father, re: the Blake children, minors. Indictment Nos. 09-JA-00500 and 09-JA-00589 (Juvenile Cases).
- 313714 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$1,037.50 attorney fees for the defense of an indigent defendant, Tony Cox, Father, re: the Cox and Littrice children, minors. Indictment Nos. 04-JA-1105, 04-JA-1106, 04-JA-1107, 04-JA-1108, 04-JA-1109 and 08-JA-941 (Juvenile Cases).
- 313715 STUART JOSHUA HOLT, Attorney, submitting an Order of Court for payment of \$2,456.25 attorney fees for the defense of an indigent defendant, Erika Rodriguez, Mother, re: the Molina children, minors. Indictment Nos. 09-JA-128 and 09-JA-136 (Juvenile Cases).
- 313716 STUART JOSHUA HOLT, Attorney, submitting an Order of Court for payment of \$1,193.75 attorney fees for the defense of an indigent defendant, Winston Jones, Father, re: A. Jones, a minor. Indictment No. 10-JA-0578 (Juvenile Case).
- 313717 STUART JOSHUA HOLT, Attorney, submitting an Order of Court for payment of \$943.75 attorney fees for the defense of an indigent defendant, Mary Rivers, Guardian, re: D. Romero, a minor. Indictment No. 99-JA-01109 (Juvenile Case).
- 313718 STUART JOSHUA HOLT, Attorney, submitting an Order of Court for payment of \$656.25 attorney fees for the defense of an indigent defendant, Sharon Thurman, Adoptive Mother, re: T. Thurman, a minor. Indictment No. 09-JA-616 (Juvenile Case).
- 313719 STUART JOSHUA HOLT, Attorney, submitting an Order of Court for payment of \$462.50 attorney fees for the defense of an indigent defendant, John McCray, Father, re: J. McCray, a minor. Indictment No. 02-JA-00346 (Juvenile Case).
- 313720 LAWRENCE H. NECHELES, Attorney, submitting an Order of Court for payment of \$450.00 attorney fees for the defense of an indigent defendant, Daniel Espronceda, Father, re: D. Espronceda, a minor. Indictment No. 00-JA-00521 (Juvenile Case).
- 313722 VICTORIA ALMEIDA, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$500.00 attorney fees for the defense of indigent defendants, the Thomas children, minors. Indictment Nos. 06-JA-00342 and 06-JA-00343 (Juvenile Cases).
- 313724 MELANIE M. PETTWAY, Attorney, submitting an Order of Court for payment of \$487.50 attorney fees for the defense of an indigent defendant, Alexander Serrano, Father, re: G. Serrano, a minor. Indictment No. 08-JA-770 (Juvenile Case).

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- 313725 CHRISTIAN S. COLLIN, Attorney, submitting an Order of Court for payment of \$483.00 attorney fees for the defense of an indigent defendant, Perry Thompson, Father, re: A. Thompson, a minor. Indictment No. 11-JA-76 (Juvenile Case).
- 313726 CHRISTIAN S. COLLIN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$462.50 attorney fees for the defense of an indigent defendant, D. Wysinger, a minor. Indictment No. 09-JA-678 (Juvenile Case).
- 313727 CHRISTIAN S. COLLIN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$575.00 attorney fees for the defense of an indigent defendant, J. Porter, a minor. Indictment No. 09-JA-473 (Juvenile Case).
- 313728 CHRISTIAN S. COLLIN, Attorney, submitting an Order of Court for payment of \$450.00 attorney fees for the defense of an indigent defendant, Payton Tisby, Father, re: C. Larkin, a minor. Indictment No. 09-JA-653 (Juvenile Case).
- 313729 CHRISTIAN S. COLLIN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$391.50 attorney fees for the defense of an indigent defendant, V. Peterson, a minor. Indictment No. 09-JA-1109 (Juvenile Case).
- 313730 VICTORIA ALMEIDA, Attorney, submitting an Order of Court for payment of \$1,225.00 attorney fees for the defense of an indigent defendant, Hollie Arreguin, Mother, re: the Arreguin children, minors. Indictment Nos. 09-JA-00849, 10-JA-00212 and 10-JA-00213 (Juvenile Cases).
- 313731 VICTORIA ALMEIDA, Attorney, submitting an Order of Court for payment of \$1,525.00 attorney fees for the defense of an indigent defendant, Chuck Smiley, Father, re: the Smiley children, minors. Indictment Nos. 08-JA-126, 08-JA-127, 08-JA-128 and 08-JA-129 (Juvenile Cases).
- 313732 VICTORIA ALMEIDA, Attorney, submitting an Order of Court for payment of \$1,043.75 attorney fees for the defense of an indigent defendant, Chuck Smiley, Father, re: the Smiley, children, minors. Indictment Nos. 08-JA-126, 08-JA-127, 08-JA-128 and 08-JA-129 (Juvenile Cases).
- 313733 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$450.00 attorney fees for the defense of an indigent defendant, Sally Clay, Mother, re: the Garza children, minors. Indictment Nos. 09-JA-1063 and 10-JA-616 (Juvenile Cases).
- 313734 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$1,025.00 attorney fees for the defense of an indigent defendant, Robert Hall, Father, re: M. Hall, a minor. Indictment No. 10-JA-1082 (Juvenile Case).
- 313735 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$887.50 attorney fees for the defense of an indigent defendant, Martaijah Harper, Mother, re: the Wilmot child, a minor. Indictment No. 09-JA-450 (Juvenile Case).
- 313736 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$356.25 attorney fees for the defense of indigent defendants, the Wherry children, minors. Indictment Nos. 04-JA-1237 and 06-JA-523 (Juvenile Cases).

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- 313737 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$400.00 attorney fees for the defense of an indigent defendant, Yunny Jimenez, Mother, re: K. Jimenez, a minor. Indictment No. 05-JA-685 (Juvenile Case).
- 313738 FRANCINE N. GREEN-KELNER, Attorney, submitting an Order of Court for payment of \$931.75 attorney fees for the defense of an indigent defendant, Norman Woods, Father, re: A. Woods, a minor. Indictment No. 08-JA-00105 (Juvenile Case).
- 313739 FRANCINE N. GREEN-KELNER, Attorney, submitting an Order of Court for payment of \$939.25 attorney fees for the defense of an indigent defendant, Lorenzo Cole, Father, re: C. Cole and C. Crawford, minors. Indictment Nos. 92-J-11168 and 92-J-11171 (Juvenile Cases).
- 313740 FRANCINE N. GREEN-KELNER, Attorney, submitting an Order of Court for payment of \$505.00 attorney fees for the defense of an indigent defendant, Michael Boyd, Father, re: D. Neealy, a minor. Indictment No. 04-JA-1084 (Juvenile Case).
- 313741 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$2,305.00 attorney fees for the defense of an indigent defendant, Hilda Kolheim, Mother, re: the Kolheim children, minors. Indictment Nos. 94-JA-0225 and 03-JA-1164 (Juvenile Cases).
- 313742 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$625.00 attorney fees for the defense of an indigent defendant, Troy Smith, Mother, re: M. Smith, a minor. Indictment No. 94-JA-05067 (Juvenile Case).
- 313743 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$405.00 attorney fees for the defense of an indigent defendant, Jesse Chagoya, Father, re: the Chagoya children, minors. Indictment Nos. 09-JA-0866 and 09-JA-0867 (Juvenile Cases).
- 313744 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$530.00 attorney fees for the defense of an indigent defendant, Traziel Jones, Father, re: R. Jones, a minor. Indictment No. 08-JA-0701 (Juvenile Case).
- 313745 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$360.00 attorney fees for the defense of an indigent defendant, Lakeeshia Jones, Mother, re: the Jones and Williams children, minors. Indictment Nos. 01-JA-00515, 01-JA-00516 and 01-JA-00517 (Juvenile Cases).
- 313746 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$335.00 attorney fees for the defense of an indigent defendant, Samuel Burnett, Father, re: the Burnett children, minors. Indictment Nos. 08-JA-00482 and 08-JA-00483 (Juvenile Cases).
- 313747 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$645.00 attorney fees for the defense of an indigent defendant, Reyfius Purches, Father, re: M. Purches, a minor. Indictment No. 11-JA-00235 (Juvenile Case).
- 313748 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$355.00 attorney fees for the defense of an indigent defendant, Andre Sharkey, Father, re: A. Cheatem, a minor. Indictment No. 09-JA-0041 (Juvenile Case).

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- 313749 BRIAN J. O'HARA, Attorney, submitting an Order of Court for payment of \$937.50 attorney fees for the defense of an indigent defendant, Charles Seitz, Father, re: the Seitz children, minors. Indictment Nos. 09-JA-00522, 09-JA-00688 and 10-JA-01004 (Juvenile Cases).
- 313757 DARLENE L. REDMOND, Attorney, submitting an Order of Court for payment of \$350.00 attorney fees for the defense of an indigent defendant, Rudolph Pena, Father, re: F. Alzebdieh, a minor. Indictment No. 10-JA-746 (Juvenile Case).
- 313758 DARLENE L. REDMOND, Attorney, submitting an Order of Court for payment of \$839.58 attorney fees for the defense of an indigent defendant, Daniel Mengoni, Father, re: D. Mengoni, a minor. Indictment No. 10-JA-00998 (Juvenile Case).
- 313759 DARLENE L. REDMOND, Attorney, submitting an Order of Court for payment of \$1,950.00 attorney fees for the defense of an indigent defendant, MeChele Valenza, Guardian, re: the Valenza children, minors. Indictment Nos. 10-JA-980, 10-JA-981 and 10-JA-982 (Juvenile Cases).
- 313760 CHRISTINE S. MARSHALL, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$745.00 attorney fees for the defense of an indigent defendant, B. Woods, a minor. Indictment No. 10-JA-883 (Juvenile Case).
- 313766 BRIAN M. COLLINS, Attorney, submitting an Order of Court for payment of \$435.00 attorney fees for the defense of an indigent defendant, Natanya Ford, Mother, re: the Brown and Ford children, minors. Indictment Nos. 06-JA-305, 06-JA-306 and 06-JA-307 (Juvenile Cases).
- 313767 BRIAN M. COLLINS, Attorney, submitting an Order of Court for payment of \$847.50 attorney fees for the defense of an indigent defendant, Oliver Poindexter, Father, re: O. Poindexter, a minor. Indictment No. 09-JA-187 (Juvenile Case).
- 313768 BRIAN M. COLLINS, Attorney, submitting an Order of Court for payment of \$1,027.50 attorney fees for the defense of an indigent defendant, Ray Scott, Father, re: the Scott children, minors. Indictment Nos. 10-JA-428 and 10-JA-429 (Juvenile Cases).
- 313769 BRIAN M. COLLINS, Attorney, submitting an Order of Court for payment of \$237.50 attorney fees for the defense of indigent defendants, Afaf and Hosny Reyad, Parents, re: M. Reyad, a minor. Indictment No. 08-JA-834 (Juvenile Case).
- 313770 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$312.50 attorney fees for the defense of an indigent defendant, LaVince McDowell, III, Father, re: L. McDowell, a minor. Indictment No. 10-JA-65 (Juvenile Case).
- 313771 BRIAN M. DANLOE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$837.50 attorney fees for the defense of indigent defendants, the Randle children, minors. Indictment Nos. 10-JA-448, 10-JA-449 and 10-JA-450 (Juvenile Cases).
- 313773 JAMES S. WILLIAMS, Attorney, submitting an Order of Court for payment of \$177.50 attorney fees for the defense of an indigent defendant, Rodney Mason, Father, re: D. Mason, a minor. Indictment No. 09-JA-820 (Juvenile Case).

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- 313775 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$537.50 attorney fees for the defense of an indigent defendant, Betty Sloan, Mother, re: D. Honey, a minor. Indictment No. 03-JA-873 (Juvenile Case).
- 313777 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$1,000.00 attorney fees for the defense of an indigent defendant, Robin Jones-El, Mother, re: D. Meyers, a minor. Indictment No. 09-JA-84 (Juvenile Case).
- 313778 PETER N. RYAN, Attorney, submitting an Order of Court for payment of \$1,125.00 attorney fees for the defense of an indigent defendant, Norbert Roldan, Father, re: N. Roldan, a minor. Indictment No. 10-JA-280 (Juvenile Case).
- 313792 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$437.50 attorney fees for the defense of an indigent defendant, Erica White, Mother, re: K. Phillips, a minor. Indictment No. 10-JA-270 (Juvenile Case).
- 313794 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$625.00 attorney fees for the defense of indigent defendants, Roy Killines and Dante Morris, Fathers, re: the Smith children, minors. Indictment Nos. 07-JA-38 and 07-JA-39 (Juvenile Cases).
- 313795 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$675.00 attorney fees for the defense of an indigent defendant, Ashley Henry, Mother, re: M. Henry, a minor. Indictment No. 09-JA-1098 (Juvenile Case).
- 313796 STEVEN O. ROSS, Attorney, submitting an Order of Court for payment of \$930.00 attorney fees for the defense of an indigent defendant, Laura Reyes, Mother, re: the Acosta children, minors. Indictment Nos. 09-JA-155, 09-JA-156 and 09-JA-157 (Juvenile Cases).
- 313797 ROBERT L. FRIEDMAN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$468.75 attorney fees for the defense of an indigent defendant, J. Lee, a minor. Indictment No. 09-JA-00149 (Juvenile Case).
- 313798 ELIZABETH BUTLER, Attorney, submitting an Order of Court for payment of \$710.00 attorney fees for the defense of an indigent defendant, Annette Roberts, Mother, re: the Henderson children, minors. Indictment Nos. 11-JA-632 and 11-JA-633 (Juvenile Cases).
- 313799 ELIZABETH BUTLER, Attorney, submitting an Order of Court for payment of \$556.25 attorney fees for the defense of an indigent defendant, Shawquanice Kimbrough, Mother, re: the Kimbrough children, minors. Indictment Nos. 10-JA-726 and 10-JA-727 (Juvenile Cases).
- 313814 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$1,612.50 attorney fees for the defense of an indigent defendant, Kathleen Moore, Mother, re: K. Newsome, a minor. Indictment No. 07-JA-00266 (Juvenile Case).
- 313815 PAUL S. KAYMAN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$837.50 attorney fees for the defense of an indigent defendant, S. Booker, a minor. Indictment No. 04-JA-00827 (Juvenile Case).

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- 313816 MATTHEW A. INGRAM, Attorney, submitting an Order of Court for payment of \$468.75 attorney fees for the defense of an indigent defendant, C. Sherman, a minor. Indictment No. 09-JD-60729 (Juvenile Case).
- 313817 HORACE M. EALY, Attorney, submitting an Order of Court for payment of \$987.50 attorney fees for the defense of indigent defendants, Dion Cummings, Bruce Hardin and John Nash, Fathers, re: the Enoch and Nash children, minors. Indictment Nos. 07-JA-971, 07-JA-972, 07-JA-973, 07-JA-974, 07-JA-975, 07-JA-976 and 07-JA-977 (Juvenile Cases).
- 313818 DEAN C. MORASK, Attorney, submitting an Order of Court for payment of \$1,025.00 attorney fees for the defense of an indigent defendant, Ahmad Martin, Father, re: A. Martin, a minor. Indictment No. 10-JA-176 (Juvenile Case).
- 313820 ROBERT A. HORWITZ, Attorney, submitting an Order of Court for payment of \$1,643.75 attorney fees for the defense of an indigent defendant, Corlett Dunbar, Guardian, re: D. Kolheim, a minor. Indictment No. 03-JA-1164 (Juvenile Case).
- 313821 ROBERT A. HORWITZ, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$868.75 attorney fees for the defense of an indigent defendant, R. Jackson, a minor. Indictment No. 96-JA-4442 (Juvenile Case).
- 313822 ROBERT A. HORWITZ, Attorney, submitting an Order of Court for payment of \$349.58 attorney fees for the defense of an indigent defendant, Richard Wilbourn, Father, re: S. Wilbourn, a minor. Indictment No. 08-JA-367 (Juvenile Case).
- 313825 S. MICHAEL KOZUBEK, Attorney, submitting an Order of Court for payment of \$1,202.50 attorney fees for the defense of an indigent defendant, Jerrymaine Baptist and Jimmy Brown, Fathers, re: the Baptist and Brown children, minors. Indictment Nos. 11-JA-09, 11-JA-10, 11-JA-11 and 11-JA-12 (Juvenile Cases).
- 313826 S. MICHAEL KOZUBEK, Attorney, submitting an Order of Court for payment of \$967.50 attorney fees for the defense of an indigent defendant, Deborah Kory, Mother, re: J. McKinley, a minor. Indictment No. 03-JA-1451 (Juvenile Case).
- 313827 ADAM J. JAFFE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$758.75 attorney fees for the defense of indigent defendants, M. Armfield and D. Reeves, minors. Indictment Nos. 09-JA-160 and 09-JA-161 (Juvenile Cases).
- 313828 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$600.00 attorney fees for the defense of an indigent defendant, Daniel Useman, Father, re: H. Useman, a minor. Indictment No. 04-JA-722 (Juvenile Case).
- 313829 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$1,468.75 attorney fees for the defense of an indigent defendant, Jennifer Peterson-Thomas, Mother, re: the Peterson and Thomas children, minors. Indictment Nos. 06-JA-342, 06-JA-343 and 09-JA-1051 (Juvenile Cases).
- 313830 MARV RAIDBARD, Attorney, submitting an Order of Court for payment of \$1,843.04 attorney fees for the defense of an indigent defendant, Yolanda Hernandez, Mother, re: the Hernandez children, minors. Indictment Nos. 04-JA-1520, 04-JA-1521, 04-JA-1522 and 04-JA-1523 (Juvenile Cases).

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- 313831 DEAN N. BASTOUNES, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$525.00 attorney fees for the defense of indigent defendants, the Johnson and Wright children, minors. Indictment Nos. 10-JA-00771, 10-JA-00772 and 10-JA-00915 (Juvenile Cases).
- 313832 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$543.75 attorney fees for the defense of an indigent defendant, Brandy Perhac, Mother, re: I. Ivory, a minor. Indictment No. 09-JA-00407 (Juvenile Case).
- 313833 BRIAN M. DANLOE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$675.00 attorney fees for the defense of indigent defendants, the Hopkins, Simmons and Watkins children, minors. Indictment Nos. 09-JA-529, 09-JA-530 and 09-JA-532 (Juvenile Cases).
- 313834 STEPHEN JAFFE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$500.00 attorney fees for the defense of an indigent defendant, A. Suren, a minor. Indictment No. 09-JA-713 (Juvenile Case).
- 313835 ELEESHA MADELINE O'NEILL, Attorney, submitting an Order of Court for payment of \$775.00 attorney fees for the defense of an indigent defendant, Jessica Strother, Mother, re: J. Lovesy, a minor. Indictment No. 11-JA-0073 (Juvenile Case).
- 313836 ELEESHA MADELINE O'NEILL, Attorney, submitting an Order of Court for payment of \$556.25 attorney fees for the defense of an indigent defendant, Dele Henderson, Mother, re: A. Henderson, a minor. Indictment No. 09-JA-339 (Juvenile Case).
- 313839 S. MICHAEL KOZUBEK, Attorney, submitting an Order of Court for payment of \$670.00 attorney fees for the defense of an indigent defendant, Donna Sajna, Mother, re: A. Crawford, a minor. Indictment No. 08-JA-781 (Juvenile Case).
- 313840 S. MICHAEL KOZUBEK, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$887.50 attorney fees for the defense of indigent defendants, S. Medley and J. Thomas, minors. Indictment Nos. 06-JA-838 and 08-JA-70 (Juvenile Cases).
- 313841 ROBERT L. FRIEDMAN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$837.25 attorney fees for the defense of indigent defendants, the Thomas children, minors. Indictment Nos. 04-JA-01342, 04-JA-01343, 04-JA-01344, 06-JA-00860, 08-JA-00159, 08-JA-1002 and 10-JA-1078 (Juvenile Cases).
- 313844 ADAM J. JAFFE, Attorney, submitting an Order of Court for payment of \$247.50 attorney fees for the defense of an indigent defendant, Charmaine Jackson, Mother, re: M. Miller, a minor. Indictment No. 08-JA-727 (Juvenile Case).
- 313845 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$925.00 attorney fees for the defense of an indigent defendant, T. Angelique Robinson, Guardian, re: C. Dunlap, a minor. Indictment No. 04-JA-00652 (Juvenile Case).
- 313846 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$868.75 attorney fees for the defense of an indigent defendant, Everardo Chiprez, Guardian, re: B. Heins, a minor. Indictment No. 01-JA-00640 (Juvenile Case).

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- 313847 PAUL D. KATZ, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$931.25 attorney fees for the defense of indigent defendants, the Wynn children, minors. Indictment Nos. 08-JA-00624, 08-JA-00625 and 08-JA-00626 (Juvenile Cases).
- 313848 ROBERT A. HORWITZ, Attorney, submitting an Order of Court for payment of \$525.00 attorney fees for the defense of an indigent defendant, Robert Simental, Father, re: G. Hernandez, a minor. Indictment No. 10-JA-976 (Juvenile Case).
- 313849 VICTORIA ALMEIDA, Attorney, submitting an Order of Court for payment of \$750.00 attorney fees for the defense of an indigent defendant, Leroy Jackson, Father, re: D. Powell, a minor. Indictment No. 05-JA-01117 (Juvenile Case).
- 313850 STEVEN SILETS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$887.50 attorney fees for the defense of indigent defendants, the Henderson and Robinson children, minors. Indictment Nos. 95-JA-3975 and 95-JA-3976 (Juvenile Cases).
- 313851 STEVEN SILETS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,168.75 attorney fees for the defense of indigent defendants, the Gaston children, minors. Indictment Nos. 01-JA-1056 and 01-JA-1057 (Juvenile Cases).
- 313852 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$2,100.00 attorney fees for the defense of an indigent defendant, M. Calderon, a minor. Indictment No. 10-JD-109 (Juvenile Case).
- 313853 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$312.50 attorney fees for the defense of an indigent defendant, Donald Morris, Father, re: A. Jones, a minor. Indictment No. 02-JA-996 (Juvenile Case).
- 313854 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$725.00 attorney fees for the defense of an indigent defendant, Kathleen Clarke, Mother, re: C. Breffle and S. McGrath, minors. Indictment Nos. 07-JA-740 and 07-JA-741 (Juvenile Cases).
- 313855 STEPHEN JAFFE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$993.50 attorney fees for the defense of an indigent defendant, E. Miller, a minor. Indictment No. 03-JA-1523 (Juvenile Case).
- 313856 DOUGLAS J. RATHE, Attorney, submitting an Order of Court for payment of \$1,566.25 attorney fees for the defense of an indigent defendant, Ira Saposnik, Father, re: S. Saposnik, a minor. Indictment No. 06-JA-00736 (Juvenile Case).
- 313857 DOUGLAS J. RATHE, Attorney, submitting an Order of Court for payment of \$418.75 attorney fees for the defense of an indigent defendant, Jose Burgos, Father, re: the Burgos children, minors. Indictment Nos. 07-JA-00087 and 08-JA-00657 (Juvenile Cases).
- 313858 DEAN C. MORASK, Attorney, submitting an Order of Court for payment of \$387.50 attorney fees for the defense of an indigent defendant, Renee Dake, Mother, re: the Flory children, minors. Indictment Nos. 07-JA-868 and 07-JA-869 (Juvenile Cases).

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- 313859 DEAN C. MORASK, Attorney, submitting an Order of Court for payment of \$918.75 attorney fees for the defense of an indigent defendant, Jalissa Santiago, Mother, re: M. Gibbs, a minor. Indictment No. 08-JA-643 (Juvenile Case).
- 313861 DEAN C. MORASK, Attorney, submitting an Order of Court for payment of \$1,506.25 attorney fees for the defense of an indigent defendant, Ayala Kauffman, Mother, re: the Kauffman children, minors. Indictment Nos. 02-JA-1861 and 02-JA-1862 (Juvenile Cases).
- 313863 MICHAEL D. CAREY, Attorney, submitting an Order of Court for payment of \$1,950.00 attorney fees for the defense of an indigent defendant, D. Awe, a minor. Indictment No. 11-JD-60090 (Juvenile Case).
- 313865 MICHAEL D. CAREY, Attorney, submitting an Order of Court for payment of \$1,575.00 attorney fees for the defense of an indigent defendant, S. Lewis, a minor. Indictment No. 10-JD-60719 (Juvenile Case).
- 313866 MICHAEL D. CAREY, Attorney, submitting an Order of Court for payment of \$1,237.50 attorney fees for the defense of an indigent defendant, C. Brewer, a minor. Indictment No. 08-JD-60825 (Juvenile Case).
- 313869 BRIAN J. O'HARA, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$300.00 attorney fees for the defense of indigent defendants, the Brown, King and Smith children, minors. Indictment Nos. 00-JA-01628, 00-JA-01629, 02-JA-01702 and 04-JA-01162 (Juvenile Cases).
- 313870 BRIAN J. O'HARA, Attorney, submitting an Order of Court for payment of \$1,068.75 attorney fees for the defense of an indigent defendant, Bruce Sanford, Father, re: N. Medina, a minor. Indictment No. 10-JA-00784 (Juvenile Case).
- 313871 BRIAN J. O'HARA, Attorney, submitting an Order of Court for payment of \$125.00 attorney fees for the defense of an indigent defendant, Nicolas Graham, Father, re: N. Graham, a minor. Indictment No. 10-JA-00202 (Juvenile Case).
- 313872 DOUGLAS J. RATHE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$637.50 attorney fees for the defense of an indigent defendant, J. Martin, a minor. Indictment No. 09-JA-00010 (Juvenile Case).
- 313874 DEAN N. BASTOUNES, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$762.50 attorney fees for the defense of indigent defendants, the Caldwell, Hollis and Jaudon children, minors. Indictment Nos. 10-JA-0024, 10-JA-0025 and 10-JA-0026 (Juvenile Cases).
- 313876 EUGENE R. SCHNITZLER, M.D., North Suburban Neurodevelopmental Testing, Niles, Illinois, presented by Steven O. Ross, Attorney, submitting an Order of Court for payment of \$500.00 expert witness fees for the defense of an indigent defendant, Sergio Sanchez, Father, re: the Kamber and Sanchez children, minors. Indictment Nos. 10-JA-486, 10-JA-487, 10-JA-488, 10-JA-489, 10-JA-490 and 10-JA-491 (Juvenile Cases).
- 313877 BRIAN M. DANLOE, Attorney, submitting an Order of Court for payment of \$755.25 attorney fees for the defense of an indigent defendant, Felix Flores, Father, re: the Flores and

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Rios children, minors. Indictment Nos. 10-JA-969, 10-JA-970 and 10-JA-971 (Juvenile Cases).

- 313878 BRIAN M. DANLOE, Attorney, submitting an Order of Court for payment of \$1,100.00 attorney fees for the defense of an indigent defendant, Tommy Hendrix, Father, re: the Hendrix children, minors. Indictment Nos. 10-JA-495 and 10-JA-498 (Juvenile Cases).

JUVENILE CASES APPROVED FISCAL YEAR 2011 TO PRESENT: \$2,008,073.81
JUVENILE CASES TO BE APPROVED: \$128,515.18

SPECIAL COURT CASES

- 313754 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County of an Order of Court for payment to the Transitional Administrator in the matter of Jimmy Doe v. County of Cook, USDC No. 99-C-3945. This class action litigation was originally brought in 1999 and has subsequently involved the entry of a Memorandum of Agreement (MOA) between the parties that was approved by the District Court in December 2002 and the entry of an Agreed Supplemental Order approved by the Court on May 18, 2006. This petition was resolved by the entry of an *Agreed Order Appointing a Transitional Administrator* (TA) by the District Court on August 14, 2007. The Board of Commissioners agreed to the entry of the subject order during its meeting of July 31, 2007.

On June 18, 2008, the District Court entered an order amending this portion of the TA Order permitting the Transitional Administrator to maintain the OTA funds in a separate account to pay reasonable costs and expenses of the staff of the OTA. The OTA account was first funded at \$800,000.00 on July 22, 2008 and the District Court entered an order for additional funds of \$500,000.00 respectively on December 18, 2008, April 14, 2009, June 30, 2009, November 17, 2009, April 7, 2010, August 3, 2010, November 23, 2010 and March 29, 2011.

The Transitional Administrator has now presented invoice payment records evidencing payments and a balance in the account as of June 23, 2011 in the amount of \$106,338.72 which has been reviewed and accepted by the Cook County State's Attorney's Office. The TA has requested the District Court to enter an order providing for an additional disbursement of \$500,000.00 into the OTA account which was approved by the Court on June 30, 2011.

Upon approval, the Cook County Comptroller will transfer \$500,000.00 from the Self-Insurance Fund to an account managed by the Transitional Administrator account in accordance with the terms of the aforementioned court order. From July 22, 2008 to date, inclusive of this court order, \$5,300,000.00 has been transferred from the Self-Insurance fund to the Office of the Transitional Administrator (See Comm. No. 312229).

- 313756 HINSHAW & CULBERTSON, LLP, Steven M. Puiszis and Frank J. Marsico, Special State's Attorneys, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$57,513.12 attorney fees and expenses regarding Quentin Bullock, et al. v. Michael F. Sheahan, et al., Case No. 04-C-1051 (Petition for Appointment of Special State's Attorney, Case No. 06-CH-07522), for the period of January 4-29, 2010, February 1-26 and March 1-31, 2010 and March 29 through April 30, 2010 (attorney fees), and for the period of December 28, 2009 through January 29, 2010, January 14 through February 26, 2010, March 1-31, 2010 and March 29 through April 30, 2010 (expenses). To date \$2,157,533.19 has been paid. These invoices were approved by the Litigation Subcommittee at its meetings of March

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3, 2010, May 5, 2010 and June 2, 2010. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

- 313762 KOZACKY & WEITZEL, P.C., Alastar S. McGrath, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$29,505.50 attorney fees and expenses regarding Fairley, et al. v. Andrews, et al., Case No. 03-C-5207 (Petition for Appointment of Special State's Attorney, Case No. 03-CH-13088), for the period of March 31 through April 30, 2011. To date \$521,827.37 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of July 12, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 313765 KOZACKY & WEITZEL, P.C., Alastar S. McGrath, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$38,295.00 attorney fees and expenses regarding Fairley, et al. v. Andrews, et al., Case No. 03-C-5207 (Petition for Appointment of Special State's Attorney, Case No. 03-CH-13088), for the period of May 1 through June 28, 2011. To date \$521,827.37 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of July 12, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 313772 PETERSON, JOHNSON & MURRAY, S.C., Daniel P. Duffy and Terry E. Johnson, Special State's Attorney's, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$2,043.90 attorney fees and expenses regarding Fairley, et al. v. Andrews, et al., Case No. 03-C-5207 (Petition for Appointment of Special State's Attorney, Case No. 03-CH-13088), for the period of October 28, 2010 through July 1, 2011. To date \$515,987.76 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of July 12, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 313780 CARDELLE SPANGLER, Compliance Administrator for the Recorder of Deeds, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$33,513.79 fees and expenses regarding Shakman, et al. v. Cook County Recorder of Deeds, USDC No. 69-C-2145. On July 30, 2010, the United States District Court entered a Supplemental Relief Order (SRO) for the Recorder of Deeds in this matter requiring the appointment of a Compliance Administrator. As part of the SRO, Cook County is required to pay the reasonable fees and expenses incurred by the Compliance Administrator for the Recorder of Deeds. Settlement of this matter was approved by the Finance Committee's Subcommittee on Litigation at its meeting of July 21, 2010. On July 6, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 21st Unopposed Petition in the amount of \$33,513.79 made payable to Cardelle Spangler, Compliance Administrator for the Cook County Recorder of Deeds. To date, Ms. Spangler has been paid \$435,714.84. Ms. Spangler has accumulated total fees and expenses of \$469,228.63 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

- 313781 MARK J. VOGEL, Complaint Administrator, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$41,376.50 fees and expenses regarding

Shakman, et al. v. Cook County, USDC No. 69-C-2145. On February 12, 2009, the United States District Court entered an Order appointing Mark J. Vogel the Post Supplemental Relief Order Complaint Administrator for Cook County. As part of this Order, Cook County is required to pay the reasonable fees and expenses incurred by the Complaint Administrator for Cook County. On June 29, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 56th Unopposed Petition in the amount of \$41,376.50 made payable to Mark J. Vogel, Complaint Administrator. To date, Mark J. Vogel has been paid \$1,352,736.01. Mr. Vogel has accumulated total fees and expenses of \$1,394,112.51 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

- 313783 MARK J. VOGEL, Complaint Administrator, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$42,359.41 fees and expenses regarding Shakman, et al. v. Cook County, USDC No. 69-C-2145. On February 12, 2009, the United States District Court entered an Order appointing Mark J. Vogel the Post Supplemental Relief Order Complaint Administrator for Cook County. As part of this Order, Cook County is required to pay the reasonable fees and expenses incurred by the Complaint Administrator for Cook County. On June 29, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 57th Unopposed Petition in the amount of \$42,359.41 made payable to Mark J. Vogel, Complaint Administrator. To date, Mark J. Vogel has been paid \$1,352,736.01. Mr. Vogel has accumulated total fees and expenses of \$1,436,471.92 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

- 313785 MARK J. VOGEL, Complaint Administrator, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$40,561.61 fees and expenses regarding Shakman, et al. v. Cook County, USDC No. 69-C-2145. On February 12, 2009, the United States District Court entered an Order appointing Mark J. Vogel the Post Supplemental Relief Order Complaint Administrator for Cook County. As part of this Order, Cook County is required to pay the reasonable fees and expenses incurred by the Complaint Administrator for Cook County. On July 11, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 58th Unopposed Petition in the amount of \$40,561.61 made payable to Mark J. Vogel, Complaint Administrator. To date, Mark J. Vogel has been paid \$1,352,736.01. Mr. Vogel has accumulated total fees and expenses of \$1,477,033.53 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

- 313786 LOCKE, LORD, BISSELL & LIDDELL, LLP, Plaintiffs' Class Counsel, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$16,173.35 fees and expenses regarding Shakman, et al. v. Cook County Recorder of Deeds, USDC No. 69-C-2145. This case was filed in 1969 against the County of Cook, the Cook County Board of Commissioners and the Cook County Recorder of Deeds among other defendants, and rises

out of Plaintiffs' class action lawsuit asserting violations of the First Amendment to the U.S. Constitution. On September 14, 2010, the Cook County Recorder of Deeds and Plaintiffs entered into a Supplemental Relief Order (SRO), which is designed to improve the hiring practices of the Recorder's Office and resolve all pending civil matters involving any alleged violation of the Shakman Consent Decrees. On June 27, 2011, Plaintiffs filed their 3rd Unopposed Motion to Award Plaintiffs' attorneys' fees and costs with respect to the SRO for the Recorder of Deeds. On June 29, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses in the amount of \$16,173.35 (\$15,821.60 for attorney fees and \$351.75 in costs) payable by Cook County to Plaintiffs' counsel, Locke, Lord, Bissell & Liddell, LLP for allocation among the Plaintiffs' counsel law firms. To date, Locke, Lord, Bissell & Liddell, LLP has been paid \$198,990.72. Locke, Lord, Bissell & Liddell, LLP has accumulated total fees and expenses of \$215,164.07 as of today's date.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

- 313789 MARY T. ROBINSON, Compliance Administrator, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$86,499.68 fees and expenses regarding Shakman, et al. v. Cook County, USDC No. 69-C-2145. The Board of Commissioners approved a Supplemental Relief Order (SRO) on November 29, 2006. On November 30, 2006, the United States District Court entered a SRO in this matter requiring the appointment of a Compliance Administrator. As part of the SRO, Cook County is required to pay the reasonable fees and expenses incurred by the Compliance Administrator. On June 29, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 71st Unopposed Petition in the amount of \$86,499.68 made payable to Mary T. Robinson, Compliance Administrator. To date, the Compliance Administrator has been paid \$4,740,719.51. The Compliance Administrator has accumulated total fees and expenses of \$4,827,219.19 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

- 313802 MARY T. ROBINSON, Compliance Administrator, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$85,070.58 fees and expenses regarding Shakman, et al. v. Cook County, USDC No. 69-C-2145. The Board of Commissioners approved a Supplemental Relief Order (SRO) on November 29, 2006. On November 30, 2006, the United States District Court entered a SRO in this matter requiring the appointment of a Compliance Administrator. As part of the SRO, Cook County is required to pay the reasonable fees and expenses incurred by the Compliance Administrator. On July 12, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 72nd Unopposed Petition in the amount of \$85,070.58 made payable to Mary T. Robinson, Compliance Administrator. To date, the Compliance Administrator has been paid \$4,740,719.51. The Compliance Administrator has accumulated total fees and expenses of \$4,912,289.77 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

- 313804 HINSHAW & CULBERTSON, LLP, James M. Lydon, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$29,005.40 consultant fees, expenses, and attorney fees regarding Michael L. Shakman, et al. v. Sheriff of Cook County, et al., USDC No. 69-C-2145 (Petition for Appointment of Special State's Attorney, Case No. 06-CH-25576), for the period of April 14-29, 2011 (attorney fees), and the period of April 28 through May 19, 2011 for Pedelty Enterprises, the Sheriff's retained expert and Human Resources Consultant working on the case. To date \$1,471,857.84 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of July 12, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

COMMISSIONERS COLLINS, MURPHY AND VICE CHAIRMAN SIMS VOTED NO ON THE ABOVE ITEM.

- 313879 QUERREY & HARROW, LTD., Daniel P. Duffy, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$38,404.73 attorney fees and expenses regarding Fairley, et al. v. Andrews, et al., Case No. 03-C-5207 (Petition for Appointment of Special State's Attorney, Case No. 03-CH-13088), for the period of May 1 through July 1, 2011. To date \$515,987.76 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting on July 12, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

SPECIAL COURT CASES APPROVED FISCAL YEAR 2011 TO PRESENT:	\$4,527,332.55
SPECIAL COURT CASES TO BE APPROVED:	\$1,040,322.57

SPECIAL COURT CRIMINAL CASE

- 313755 STUART A. NUDELMAN, MYLES P. O'ROURKE, ANDREW N. LEVINE, RAFAEL A. BOMBINO and BRIAN J. STEFANICH, Special State's Attorney and Assistant Special State's Attorneys, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$27,452.67 regarding appointment of Special Prosecutor, No. 2003, Misc. 4, for the following:

The Comptroller of Cook County is hereby ordered to pay interim fees for Special State's Attorney Stuart A. Nudelman in the amount of \$7,370.00, for Assistant Special State's Attorney Myles P. O'Rourke in the amount of \$3,731.50, for Assistant Special State's Attorney Andrew N. Levine in the amount of \$2,040.00, for Assistant Special State's Attorney Rafael A. Bombino in the amount of \$7,392.00, and for Assistant Special State's Attorney Brian J. Stefanich in the amount of \$4,543.00 and to pay the sum of \$2,376.17 for the total of the following expenses incurred by the Office of the Special Prosecutor for the month of May 2011:

1. Services - Assistant Special Prosecutors	\$25,076.50
2. Telephone	450.00
3. Office Expenses	330.00
4. Paralegal/Clerk time	1,297.50
5. Computer Maintenance	150.00
6. Lexis Nexis Research	148.67

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Said amounts totaling \$27,452.67 to be fair and reasonable for the work performed on the post-conviction cases (80-C-1916, 80-C-5534, 81-C-6362, 82-C-8655, 83-C-769, 83-CR-12478, 84-C-6487, 84-C-66702, 86-CR-6091, 87-CR-11296 88-CR-7047, 90-CR-3212, 92-CR-2771, 92-CR-28009, 93-C-6684 and 95-CR-27596) as well as the incurred expenses attributed to the preparation and case management of those same cases. The Comptroller of Cook County is therefore ordered to issue payment to the Office of the Special Prosecutor in the amount of \$27,452.67 (310-263 Account). To date \$996,816.59 has been paid. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

SPECIAL COURT CRIMINAL CASES APPROVED FISCAL YEAR 2011

TO PRESENT:

\$362,977.06

SPECIAL COURT CRIMINAL CASE TO BE APPROVED:

\$27,452.67

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER STEELE, MOVED APPROVAL OF THE COURT ORDERS. THE MOTION CARRIED.

SECTION 2

Your Committee has considered the following numbered and described bills and recommends that they be, and upon the adoption of this report, approved and that the County Comptroller and County Treasurer are authorized and directed to issue checks to said claimants in the amounts recommended.

- 313658 NW CONSTRUCTION, LLC, Forest Park, Illinois, submitting invoice totaling \$131,720.40, 4th part payment for Contract No. 10-53-071, for countywide exterior wall repair project (Group 1, Package 4) at the Hawthorne Warehouse for the Office of Capital Planning and Policy, for the period of March 1 through April 1, 2011. Bond Issue (20000 Account). Purchase Order No. 174845, approved by County Board May 4, 2010 and September 15, 2010.
- 313659 MERRICK & COMPANY, Aurora, Colorado, submitting invoice totaling \$459,614.92, part payment for Contract No. 10-41-09, for the aerial imagery project for the Geographical Information Systems (GIS), Bureau of Technology, for the period of April 30 through May 27, 2011 (545-260 Account). Purchase Order No. 177112, approved by County Board January 26, 2010.
- 313705 NORTHWESTERN UNIVERSITY, Evanston, Illinois, submitting four (4) invoices totaling \$480,246.48, part payment for Contract No. 10-41-14, to operate the Circuit Court of Cook County's Juvenile Court Clinic for the Juvenile Probation and Court Services Department, for the months of October 2010 through January 2011 (326-260 Account). Purchase Order No. 176501, approved by County Board November 18, 2009.
- 313706 GATEWAY FOUNDATION, INC., Chicago, Illinois, submitting invoice totaling \$120,709.24, part payment for Contract No. 09-41-118, to provide substance abuse treatment services for the Pre-Release and Day Reporting Centers for the Sheriff's Department of Community Supervision and Intervention (DCSI), for the period of May 17-31, 2011 (236-298 Account). Purchase Order No. 176998, approved by County Board April 1, 2009 recessed and reconvened on April 2, 2009, March 26, 2010 and March 15, 2011.

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- 313723 OFFICE OF THE COUNTY CLERK, submitting invoice totaling \$248,343.00, payment for postage for the County Clerk's Office, Bureau of Vital Records, Real Estate and Tax Services, Clerk of the Board and Administration (110-225 Account). Check to be made payable to Pitney Bowes Reserve Account, Invoice No. 062811SH.
- 313779 PUBLIC BUILDING COMMISSION OF CHICAGO, Chicago, Illinois, submitting invoice totaling \$992,477.00, part payment for operating expenses for the Richard J. Daley Center, for the month of July 2011 (499-470 Account). Approved by County Board February 26, 2011.
- 313782 WORLD MARKETING CHICAGO, McCook, Illinois, submitting invoice totaling \$100,040.00, part payment for Contract No. 10-84-133, for printing and processing of renewal booklets and forms for 2011 exemptions for the Assessor's Office (040-240 Account). (See Comm. No. 313842). Purchase Order No. 176247, approved by County Board December 14, 2010
- 313784 SOUTH WEST INDUSTRIES, INC. d/b/a Anderson Elevator Company, Broadview, Illinois, submitting invoice totaling \$183,582.01, 9th part payment for Contract No. 09-53-271, for the Countywide Elevator Modernization Project (Bid Package #9) at the 2nd, 3rd and 5th District Courthouses, Robert J. Stein Institute of Forensic Medicine and the Department of Corrections South Campus, Buildings 1 and 4 for the Office of Capital Planning and Policy, for the period of April 1 through June 28, 2011. Bond Issue (20000 Account). (See Comm. No. 313361). Purchase Order No. 170570, approved by County Board November 18, 2009.
- 313819 DIVANE BROTHERS ELECTRIC COMPANY, Franklin Park, Illinois, submitting invoice totaling \$119,672.00, 12th part payment for Contract No. 06-53-353 Rebid/Revised, for countywide telecommunication wiring installation, Phase 3 at the Department of Corrections Campus for the Office of Capital Planning and Policy, for the period ending of September 31, 2010. Bond Issue (20000 Account). (See Comm. No. 304995). Purchase Order No. 158550, approved by County Board July 31, 2007, July 22, 2008, February 18, 2009, July 21, 2009 and May 4, 2010.
- 313823 WALSH CONSTRUCTION COMPANY, Chicago, Illinois, submitting invoice totaling \$1,223,276.34, 6th part payment for Contract No. 10-53-42, for the new Residential Treatment Unit (RTU) Reception Classification Diagnostic Center (RCDC) Building at the Department of Corrections for the Office of Capital Planning and Policy, for the month of May 2011. Bond Issue (20000 Account). (See Comm. No. 313332). Purchase Order No. 173503, approved by County Board July 13, 2010.
- 313842 WORLD MARKETING CHICAGO, McCook, Illinois, submitting invoice totaling \$38,960.00, part payment for Contract No. 10-84-133, for printing and processing of renewal booklets and forms for 2011 exemptions for the Assessor's Office (040-240 Account). (See Comm. No. 313782). Purchase Order No. 175566, approved by County Board December 14, 2010
- 313873 WRIGHT EXPRESS FINANCIAL SERVICES CORPORATION, Carol Stream, Illinois, submitting invoice totaling \$413,480.50, part payment for Contract No. 09-41-249, for the County's participation in the State of Illinois contract for motor fuel card purchases submitted by the Sheriff's Office, for the month of June 2011 (211-445 Account). (See Comm. No. 313409). Purchase Order No. 176433, approved by County Board July 21, 2009.

COMMISSIONER GOSLIN, SECONDED BY COMMISSIONER STEELE, MOVED APPROVAL OF THE BILLS AND CLAIMS. THE MOTION CARRIED.

SECTION 3

Your Committee has considered the following communications from State's Attorney, Anita Alvarez with reference to the workers' compensation claims hereinafter mentioned.

Your Committee, therefore, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, are authorized and directed to issue checks to the Workers' Compensation Commission to be paid from the Workmen's Compensation Fund.

- 313763 BRENDA DIXON, in the course of her employment as a Food Service Worker for Oak Forest Hospital of Cook County sustained accidental injuries on April 14, 2010. While washing pots and pans the Petitioner slipped on a soapy wet floor and fell, and as a result she injured her knee (right knee medial collateral ligament sprain with radial tear of the inner aspect of the posterior horn of the medial meniscus; left knee sprain). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 10-WC-24681 in the amount of \$11,000.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Larry J. Coven, Coven Law Group.
- 313764 LISA A. MILLER, in the course of her employment as a Nurse for Stroger Hospital of Cook County sustained accidental injuries on April 7, 2007. The accident occurred when the Petitioner was attempting to lift an obese patient, and as a result she injured her back (lower back strain). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 07-WC-49593 in the amount of \$10,849.48 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Corey B. Goldberg, Law Firm of Goldberg, Weisman & Cairo, Ltd.
- 313793 LIVIA BROWN-HOUSER, in the course of her employment as a Criminal Verification Clerk for the Clerk of the Circuit Court of Cook County sustained accidental injuries on June 18, 2007. The accident occurred when the Petitioner's foot became tangled in loose wiring causing her to fall, and as a result she injured her neck, shoulder and arm (cervical radiculopathy, exacerbation of cervical herniation at C7-T1, requiring surgical correction, and sprained left hand). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 07-WC-32843 in the amount of \$24,768.45 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Francine R. Fishel, Law Firm of Brill & Fishel, P.C.
- 313800 SANDRA J. HAYES, in the course of her employment as a Clerk for the Medical Examiner's Office sustained accidental injuries on August 28, 2006. The Petitioner slipped on a waxed floor and fell, and as a result she injured her knees (bilateral meniscal tears requiring surgery). Prior/pending claims: 07/25/02 case settled for \$18,711.60. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 06-WC-50073 in the amount of \$43,689.29 and recommends its payment. (Finance

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Subcommittee May 3, 2011). Attorney: Patrick J. Ryan, Law Firm of Cohn, Lambert, Ryan & Schneider, Ltd.

- 313801 JESSE LOPEZ, in the course of his employment as a Correctional Officer for the Department of Corrections sustained accidental injuries on September 3, 2009. The Petitioner was attacked by a combative inmate, and as a result he injured his head and face (blunt head trauma, fractured nasal bones with obstructed breathing). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 09-WC-38439 in the amount of \$16,618.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: David A. Iammartino, Law Firm of Baum, Ruffolo & Marzal, Ltd.
- 313803 SAM TENUTO, in the course of his employment as a Fingerprint Technician for the Bureau of Human Resources sustained accidental injuries on January 7, 2009. The Petitioner developed acute pain while repetitively performing fingerprinting duties, and as a result he injured his hand and arm (right arm DeQuervain's tenosynovitis). Prior/pending claims: none. Following a trial, the Arbitrator found that the Petitioner's injuries arose out of and in the course of his employment. As a result, on May 18, 2011, the Arbitrator awarded the Petitioner \$29,288.72. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Decision of Arbitrator, Award No. 10-WC-23100 in the amount of \$29,288.72 and recommends its payment. (Finance Subcommittee July 12, 2011). Attorney: Mitchell Lipkin, Law Firm of Lipkin & Higgins.

WORKERS' COMPENSATION CLAIMS APPROVED FISCAL YEAR 2011

TO PRESENT:

\$3,139,432.30

WORKERS' COMPENSATION CLAIMS TO BE APPROVED:

\$136,213.94

COMMISSIONER SCHNEIDER, SECONDED BY COMMISSIONER REYES, MOVED APPROVAL OF THE WORKERS' COMPENSATION CLAIMS. THE MOTION CARRIED.

SECTION 4

Your Committee has considered the following communications from the Cook County Department of Risk Management requesting the County Board to authorize subrogation recoveries.

Your Committee, concurring in the requests of the Cook County Department of Risk Management recommends the authorization of subrogation recoveries be granted.

- 313806 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$190.37. Claim No. 20050523, Sheriff's Police Department.

Responsible Party: Sheila J. Kessler (Driver and Owner), 909 5th Avenue, Stevens Point, Wisconsin 54481

Damage to: Sheriff's Police Department vehicle

Our Driver: Ronald D. Rovner, Unit #2058

Date of Accident: June 11, 2011

Location: Route #53 near Higgins Road, Schaumburg, Illinois
(211-444 Account).

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313807 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$763.71. Claim No. 20050517, State's Attorney's Office.

Responsible Party: Andrzej Krol (Driver and Owner), 3636 West Cornelia Avenue, Chicago, Illinois 60618
Damage to: State's Attorney's Office vehicle
Our Driver: Lawrence H. Tuidar, Unit #10052
Date of Accident: May 16, 2011
Location: I-80 eastbound near Milepost 130.5, Joliet Township (250-444 Account).

313808 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$919.58. Claim No. 20050493, Sheriff's Police Department.

Responsible Party: Gregory B. Vankerkhove (Driver and Owner), 4622 West Spencer Lane, Alsip, Illinois 60803
Damage to: Sheriff's Police Department vehicle
Our Driver: Michael J. Kosur, Unit #4011
Date of Accident: December 20, 2010
Location: 1st Avenue near Roosevelt Road, Proviso Township (211-444 Account).

SUBROGATION RECOVERIES APPROVED FISCAL YEAR 2011 TO PRESENT:	\$28,544.70
SUBROGATION RECOVERIES TO BE APPROVED:	\$1,873.66

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER STEELE, MOVED APPROVAL OF THE SUBROGATION RECOVERIES. THE MOTION CARRIED.

SECTION 5

Your Committee has considered the following communications from the Cook County Department of Risk Management requesting that the County Board authorize payment of said claims.

Your Committee, concurring in the requests of the Cook County Department of Risk Management, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, authorized and directed to issue checks to claimants in the amounts recommended.

313809 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$400.00. Claim No. 97008866, Highway Department.

Claimant: Mary Murray, 17665 Navajo Trace, Tinley Park, Illinois 60477
Property Damage: Fence
Date of Accident: February 4, 2011
Location: 17665 Navajo Trace, Tinley Park, Illinois

The Highway Department vehicle was plowing snow along 171st Street in Tinley Park and pushed snow into Claimant's fence causing a part of the fence to fall over (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge.

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- 313810 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$1,200.00. Claim No. 97008683, Sheriff's Vehicle Services.

Claimant: William Skinner, 650 West 154th Street, Dolton, Illinois 60419
Claimant's Vehicle: 2002 Cadillac STS
Our Driver: Dennis Godlewski, Unit #9192
Prior Accident(s): 0
Date of Accident: November 18, 2010
Location: Washtenaw Avenue and 26th Street, Chicago, Illinois

The Sheriff's Vehicle Services bus was traveling northbound on Washtenaw Avenue near 26th Street in Chicago. As the bus reached 26th Street, it proceeded to turn right onto 26th Street, about halfway through the turn the right side of the bus struck Claimant's vehicle causing damage to the left side front fender (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge.

- 313811 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$984.40. Claim No. 97008678, Sheriff's Police Department.

Claimant: Esmeralda Llanas, 2835 Gabriella Street, Unit #301, Downers Grove, Illinois 60515
Claimant's Vehicle: 2008 Nissan Sentra
Our Driver: Renee Smith, Unit #1159
Prior Accident(s): 0
Date of Accident: November 5, 2010
Location: Central Avenue and 49th Street, Stickney Township

The Sheriff's Police Department vehicle was driving southbound on Central Avenue in Stickney, when the vehicle in front of it stopped abruptly. The County vehicle attempted to avoid striking a vehicle in front of it and swerved to the left striking Claimant's vehicle causing damage to the rear bumper and right taillights (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge.

- 313812 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$1,200.00. Claim No. 97008737, Sheriff's Court Services Division.

Claimant: Allstate Auto Insurance a/s/o Donald G. Hughes, Allstate Payment Processing Center, P.O. Box 650271, Dallas, TX 75265-0271
Claimant's Vehicle: 2003 Lincoln Town Car
Our Driver: Parris C. Williams, Unit #9201
Prior Accident(s): 0
Date of Accident: December 17, 2010
Location: I-94 southbound ramp to Sibley Avenue westbound, Dolton, Illinois

The Sheriff's Court Services Division vehicle was traveling southbound on I-94 on the ramp to Sibley Avenue westbound in the second lane and attempted to merge into the left lane

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when a third vehicle moved into the left lane. The County vehicle took evasive action but struck Claimant in the rear bumper and quarter panel (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge.

- 313813 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$1,553.17. Claim No. 97008686, Sheriff's Police Department.

Claimant: Peerless Insurance Company a/s/o US Refrigeration Sales Service Corporation, Thomas George Associates, P.O. Box 30, East Northport, New York, 11731

Claimant's Vehicle: 2008 Dodge Caliber

Our Driver: Robert Cassidy, Plate #S16341

Prior Accident(s): 0

Date of Accident: October 29, 2010

Location: 1st Avenue and Quincy Street, Proviso Township

The Sheriff's Police Department vehicle was traveling eastbound on Quincy Street in Proviso Township. The County vehicle proceeded to turn left onto 1st Avenue from Quincy, and turned in front of Claimant's vehicle causing damage to the front left bumper (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge.

SELF-INSURANCE CLAIMS APPROVED FISCAL YEAR 2011 TO PRESENT:	\$82,373.99
SELF-INSURANCE CLAIMS TO BE APPROVED:	\$5,337.57

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER STEELE, MOVED APPROVAL OF THE SELF-INSURANCE PROGRAM SETTLEMENT CLAIMS. THE MOTION CARRIED.

SECTION 6

Your Committee has considered the following communications from State's Attorney, Anita Alvarez.

Your Committee, concurring in the recommendations of the State's Attorney, recommends that the County Comptroller and County Treasurer prepare checks in the amounts recommended in order that the payments may be set in accordance with the request of the State's Attorney upon proper release from the Office of the State's Attorney.

- 313750 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$2,500.00 for the release and settlement of suit regarding In the Matter of the Arbitration between Cook County Sheriff's Office and SEIU Local 73 Grievance #GV100326. This matter involves allegations of a violation of the Collective Bargaining Agreement between the Sheriff's Office and SEIU Local 73. The matter has been settled for the sum of \$2,500.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$2,500.00, made payable to Gerald Kelly. Please forward the check to Thomas Nowinski, Assistant State's Attorney, for transmittal.

- 313751 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$700.00 for the release and settlement of suit regarding Montee Lavon Moore v. Thomas Dart, et al., Case No. 11-C-2327. This matter involves an allegation of a civil rights violation at the Jail. The matter has been settled for the sum of \$700.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$700.00, made payable to Montee Lavon Moore. Please forward the check to Michael J. Sorich, Assistant State's Attorney, for transmittal.
- 313752 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$500.00 for the release and settlement of suit regarding Robert Rice v. Cook County Sheriff's Office, Case No. 11-M1-12071. This matter involves an allegation of a wrongful eviction and property damage incident in Cook County. The matter has been settled for the sum of \$500.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$500.00, made payable to Robert Rice. Please forward the check to Shandra Leary, Assistant State's Attorney, for transmittal.
- 313753 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$350.00 for the release and settlement of suit regarding Bethea v. Dart, et al., Case No. 10-C-6586. This matter involves allegations that the plaintiff was retaliated against by a correctional officer for past complaints he made regarding conditions at the Jail. The matter has been settled for the sum of \$350.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$350.00, made payable to Aaron Bethea. Please forward the check to Anthony E. Zecchin, Assistant State's Attorney, for transmittal.
- 313776 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$7,000.00 for the release and settlement of suit regarding Giles v. Dart, et al., Case No. 10-C-1634. This matter involves allegations of denied mental health care and medication while the Plaintiff was a pretrial detainee at the Jail. The matter has been settled for the sum of \$7,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$7,000.00, made payable to Latham & Watkins, LLP, his attorney and/or Bruce Giles. Please forward the check to Anthony E. Zecchin, Assistant State's Attorney, for transmittal.
- 313787 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$175,000.00 for the release and settlement of suit regarding Harold Hill v. City of Chicago, et al., Case No. 06-C-6772. This matter involves an allegation of a civil rights violation by an Assistant State's Attorney. The matter has been settled for the sum of \$175,000.00, which is within the authority granted to this office by the Finance Committee's Subcommittee on Litigation at its meeting of July 12, 2011. State's Attorney recommends payment of \$175,000.00, made payable to Harold Hill and Loevy & Loevy, his attorney. Please forward the check to James C. Pullos, Assistant State's Attorney, Torts & Civil Rights Litigation, for transmittal.
- 313788 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$600,000.00 for the release and settlement of suit regarding Aleyamma Varghese v. County of Cook, Case No. 08-L-2222. We have settled this alleged medical negligence claim at Oak Forest Hospital of Cook County. The matter has been

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settled for the sum of \$600,000.00, which is within the authority granted to this office by the Finance Committee's Subcommittee on Litigation at its meeting of October 6, 2010. State's Attorney recommends payment of \$600,000.00, made payable in two (2) separate checks as follows:

1. the first check in the amount of \$596,194.97, made payable to "Aleyamma Varghese and Woerthwein & Miller", her attorneys; and
2. the second check in the amount of \$3,805.03, made payable to " Medicare".

Please forward the checks to Sandra J. Weber, Assistant State's Attorney, Supervisor, Medical Litigation Section, for transmittal.

313790 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$2,600.00 for the release and settlement of suit regarding Jereme Moore v. Godinez, et al., Case No. 10-C-4416. This matter involves allegations of civil rights violations while Plaintiff was detained at the Department of Corrections. The matter has been settled for the sum of \$2,600.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$2,600.00, made payable to Nellie Clayton. Please forward the check to Paul W. Groah, Assistant State's Attorney, for transmittal.

313791 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$5,000.00 for the release and settlement of suit regarding George Brown v. Cook County, et al., Case No. 10-CV-07244. This matter involves allegations of Age Discrimination under the Employment Act at the Sheriff's Office. The matter has been settled for the sum of \$5,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$5,000.00, made payable to Asher, Gittler & D'Alba. Please forward the check to Michael A. Kuczvara, Jr., Assistant State's Attorney, for transmittal.

PROPOSED SETTLEMENTS APPROVED FISCAL YEAR 2011 TO PRESENT:	\$22,924,132.88
PROPOSED SETTLEMENTS TO BE APPROVED:	\$793,650.00

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER STEELE, MOVED APPROVAL OF THE PROPOSED SETTLEMENTS. THE MOTION CARRIED.

SECTION 7

Your Committee has considered the following communications from the Cook County Department of Risk Management requesting that the County Board authorize payment of said claims.

Your Committee concurring in the requests of the Cook County Department of Risk Management, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, are authorized and directed to issue checks to claimants in the amounts recommended.

313805 PATIENT/ARRESTEE SETTLEMENT PROGRAM CLAIMS. The Department of Risk Management is submitting invoices totaling \$27,572.10, for payment of medical bills for services rendered to patients while in the custody of the Cook County Sheriff's Office. Their

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services were rendered under the Patient/Arrestee Settlement Program (542-274 Account). Bills were approved for payment after an audit by Cambridge Integrated Services Group or the Illinois Department of Healthcare and Family Services, and by the Department of Risk Management, who recommends payment based on Cook County State's Attorney's Legal Opinion No. 1879, dated July 14, 1987. Individual checks will be issued by the Comptroller in accordance with the attached report prepared by the Department of Risk Management.

	<u>YEAR TO DATE</u>	<u>TO BE APPROVED</u>
TOTAL BILLED	\$3,940,815.58	\$219,174.10
UNDOCUMENTED	\$1,393,245.22	\$0.00
IDHFS DISCOUNT**	\$455,110.96	\$191,602.00
PROVIDER DISCOUNT	\$429,605.77	\$0.00
AMOUNT PAYABLE	\$1,662,853.63	\$27,572.10

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER STEELE, MOVED APPROVAL OF THE PATIENT/ARRESTEE CLAIMS. THE MOTION CARRIED.

SECTION 8

Your Committee has considered the following communications received from the Employees' Injury Compensation Committee requesting that the County Board authorize payment of expenses regarding claims of Cook County employees injured while in the line of duty.

Your Committee, concurring in said requests, recommends that the County Comptroller and County Treasurer be, and upon the adoption of this report, are authorized and directed to issue checks in the amounts recommended to the claimants.

313843 THE EMPLOYEE'S INJURY COMPENSATION COMMITTEE, submitting invoice totaling \$746,371.68, for payment of medical bills for Workers' Compensation cases incurred by employees injured on duty. Individual checks will be issued by the Comptroller in accordance with the attached report prepared by the Department of Risk Management, Workers' Compensation Unit. This request covers bills received and processed from July 13-27, 2011.

EMPLOYEES' INJURY COMPENSATION CLAIMS APPROVED FISCAL YEAR 2011

TO PRESENT: \$4,985,380.02

EMPLOYEES' INJURY COMPENSATION CLAIMS TO BE APPROVED: \$746,371.68

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER STEELE, MOVED APPROVAL OF THE EMPLOYEES' INJURY COMPENSATION CLAIMS. THE MOTION CARRIED.

CHAIRMAN DALEY VOTED PRESENT ON THE CLAIM REGARDING MERCY HOSPITAL.

SECTION 9

Your Committee was presented with the Revenue Report for the period ended June 30, 2011 for the Corporate, Public Safety and Health Funds, as presented by the Bureau of Finance.

COMMISSIONER GOSLIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO RECEIVE AND FILE THE REVENUE REPORT. THE MOTION CARRIED.

SECTION 10

Your Committee has considered the bids submitted on the items hereinafter described in accordance with the specifications on file in the Office of the County Purchasing Agent. Communications from the County Purchasing Agent submitting recommendations on the award of contracts for said items, be and by the adoption of this Report, awarded as follows. The deposit checks are ordered returned to the unsuccessful bidders at once and to the successful bidder upon the signing of the contract.

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER STEELE, MOVED APPROVAL OF THE RECOMMENDATIONS REGARDING BID ITEMS 1 THROUGH 7. THE MOTION CARRIED.

BIDS RECOMMENDED FOR AWARD

Item 1 **CONTRACT NO. 11-84-75**

Leasing up to 150 vehicles, including maintenance, insurance and fuel program, for Cook County Sheriff's H.I.D.T.A. to:

Enterprise Fleet Management, Inc.	\$2,627,574.32
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Item 2 **CONTRACT NO. 11-50-51**

Paint supplies, for the Department of Facilities Management, to:

Aztec Supply Corporation	\$170,302.28
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Item 4 **CONTRACT NO. 11-85-53**

Toilet tissue and paper towels, for various Cook County Agencies, to:

Aztec Supply Corporation (Parts #1 and 9)	\$185,680.00
American Textile Systems (Parts #6 and 8)	\$618,185.00
Inlander Brothers, Inc. (Part #7)	\$248,496.00
Inter-City Supply Company (Part #2)	\$40,480.00
KMI Supplies, Inc. (Part #3)	\$50,371.76
Fresh N Clean (Part #5)	\$1,350.00

Item 5 **CONTRACT NO. 11-45-61**

Meat products, for Juvenile Temporary Detention Center of Cook County, to:

Blackdog Chicago Corporation	\$476,517.26
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Item 6 **CONTRACT NO. 11-50-82**

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Printing and mailing of certified notices of tax delinquencies for tax years 2010 and 2011, for Cook County Treasurers Office, to:

The Envelope Connection, Inc. \$183,360.00

Item 7 **CONTRACT NO. 11-50-83**

Printing, tax bill paper, envelopes, brochures, folding and inserting for billing and collection of tax years 2011 and 2012 property taxes, for Cook County Treasurers Office, to:

JJ Collins Sons, Inc. \$998,794.00

BID RECOMMENDED FOR CANCELLATION AND REBID

Item 3 **CONTRACT NO. 11-45-77R**

Ammunition for Cook County Sheriff's Training Institute

SECTION 11

Your Committee has considered the following item and upon adoption of this report, the recommendation is as follows:

310251 **OFFICE OF THE PUBLIC DEFENDER** by Abishi C. Cunningham, Jr., transmitting a Communication, dated October 29, 2010:

requesting authorization for the Purchasing Agent to advertise for bids for the purchase of six (6) 2011 Chevrolet Impalas.

These autos will be replacing vehicles that are over 8 years old and/or will be close to or exceeding 100,000 miles. The vehicles available on the countywide contract do not meet specifications suitable for use in our office because the contract is tailored for the Sheriff's Office and includes police equipment.

One time purchase. (717/260-549 Account). This item was included in the FY2010 Capital Equipment Project approved by Board of Commissioners on November 19, 2009.

The Vehicle Steering Committee concurs with this recommendation.

***Referred to the Committee on Finance on 12/14/10.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER STEELE, MOVED TO RECEIVE AND FILE COMMUNICATION NO. 310251. THE MOTION CARRIED.

310252 **MILES CHEVROLET (PROPOSED CONTRACT).** Transmitting a Communication, dated November 1, 2010 from Timothy C. Evans, Chief Judge, Circuit Court of Cook County:

requesting authorization for the Purchasing Agent to enter into a contract and execute such agreements, addenda and other documents as may be necessary to accomplish the County's participation in the State of Illinois contract with **MILES CHEVROLET**, Decatur, Illinois, for the purchase of five (5) Chevrolet Tahoes for the Adult Probation Department.

Reason: This request will be completed in accordance with the procedures established by the State of Illinois and Cook County with respect to the Joint Purchasing Program.

Estimated Fiscal Impact: \$122,948.00. Contract period: February 25, 2010 through February 24, 2011. (532-549 Account).

The Vehicle Steering Committee concurs with this recommendation.

Sufficient funds are available in the Adult Probation/Probation Service Fee Fund.

***Referred to the Committee on Finance on 12/14/10.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER STEELE, MOVED TO RECEIVE AND FILE COMMUNICATION NO. 310252. THE MOTION CARRIED.

310255 **CLERK OF THE CIRCUIT COURT**, Dorothy A. Brown, transmitting a Communication:

requesting authorization for the Purchasing Agent to advertise for bids for the purchase of two (2) Ford F650 trucks.

One time purchase. (529-549 Account).

Sufficient funds are available in the Clerk of the Circuit Court Document Storage Fund.

The Vehicle Steering Committee concurs with this recommendation.

***Referred to the Committee on Finance on 12/14/10.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER STEELE, MOVED TO RECEIVE AND FILE COMMUNICATION NO. 310255. THE MOTION CARRIED.

310257 **ELMHURST FORD d/b/a ELMHURST MOTORS (PROPOSED CONTRACT)**. Transmitting a Communication, dated October 29, 2010 from Thomas J. Dart, Sheriff of Cook County by Alexis A. Herrera, Chief Financial Officer:

requesting authorization for the Purchasing Agent to enter into a contract and execute such agreements, addenda and other documents as may be necessary to accomplish the County's participation in the City of Chicago contract with **ELMHURST FORD d/b/a ELMHURST MOTORS**, Elmhurst, Illinois, for the purchase of twenty-five (25) Ford Fusion Hybrid vehicles.

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Reason: This request will be completed in accordance with the procedures established by the City of Chicago and Cook County with respect to the Joint Purchasing Program.

Estimated Fiscal Impact: \$640,000.00. One time purchase. (717/211-549 Account).

The Vehicle Steering Committee concurs with this recommendation.

This equipment was included in the 2010 Capital Equipment Program approved by the Board of Commissioners on November 19, 2009.

Vendor has met the Minority and Women Business Enterprise Ordinance.

***Referred to the Committee on Finance on 12/14/10.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER STEELE, MOVED TO RECEIVE AND FILE COMMUNICATION NO. 310257. THE MOTION CARRIED.

310258 **PATSON d/b/a NORTHWEST FORD & STERLING TRUCK CENTER (PROPOSED CONTRACT).** Transmitting a Communication, dated October 29, 2010 from Thomas J. Dart, Sheriff of Cook County by Alexis A. Herrera, Chief Financial Officer:

requesting authorization for the Purchasing Agent to enter into a contract and execute such agreements, addenda and other documents as may be necessary to accomplish the County's participation in the City of Chicago contracts with **PATSON d/b/a NORTHWEST FORD & STERLING TRUCK CENTER**, Franklin Park, Illinois, for the purchase of thirteen (13) Ford E-150 Cargo/Passenger Vans.

Reason: This request will be completed in accordance with the procedures established by the City of Chicago and Cook County with respect to the Joint Purchasing Program.

Estimated Fiscal Impact: \$301,577.70. One time purchase. (717/211-549 Account).

The Vehicle Steering Committee concurs with this recommendation.

This equipment was included in the 2010 Capital Equipment Program approved by the Board of Commissioners on November 19, 2009.

Vendor has met the Minority and Women Business Enterprise Ordinance.

***Referred to the Committee on Finance on 12/14/10.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER STEELE, MOVED TO RECEIVE AND FILE COMMUNICATION NO. 310258. THE MOTION CARRIED.

310259 **MILES CHEVROLET, NISSAN, GENERAL MOTORS ACCEPTANCE CORPORATION (PROPOSED CONTRACT).** Transmitting a Communication, dated

October 29, 2010 from Thomas J. Dart, Sheriff of Cook County, by Alexis A. Herrera, Chief Financial Officer:

requesting authorization for the Purchasing Agent to enter into a contract and execute such agreements, addenda and other documents as may be necessary to accomplish the County's participation in the State of Illinois' contract with **MILES CHEVROLET, NISSAN, GENERAL MOTORS ACCEPTANCE CORPORATION**, Decatur, Illinois, for the purchase of six (6) Chevrolet Tahoe police package vehicles.

Reason: This request will be completed in accordance with the procedures established by the State of Illinois and Cook County with respect to the Joint Purchasing Program.

Estimated Fiscal Impact: \$156,414.00. One time purchase. (717/211-549 Account).

The Vehicle Steering Committee concurs with this recommendation.

This equipment was included in the 2010 Capital Equipment Program approved by the Board of Commissioners on November 19, 2009.

***Referred to the Committee on Finance on 12/14/10.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER STEELE, MOVED TO RECEIVE AND FILE COMMUNICATION NO. 310259. THE MOTION CARRIED.

310260 **LANDMARK FORD, INC. (PROPOSED CONTRACT).** Transmitting a Communication, dated October 29, 2010 from Thomas J. Dart, Sheriff of Cook County by Alexis A. Herrera, Chief Financial Officer:

requesting authorization for the Purchasing Agent to enter into a contract and execute such agreements, addenda and other documents as may be necessary to accomplish the County's participation in the State of Illinois' contract with **LANDMARK FORD, INC.**, Springfield, Illinois, for the purchase of one hundred twenty-five (125) Ford Crown Victoria sedans.

Reason: This request will be completed in accordance with the procedures established by the State of Illinois and Cook County with respect to the Joint Purchasing Program.

Estimated Fiscal Impact: \$2,667,000.00. One time purchase. (717/211-549 Account).

The Vehicle Steering Committee concurs with this recommendation.

This equipment was included in the 2010 Capital Equipment Program approved by the Board of Commissioners on November 19, 2009.

***Referred to the Committee on Finance on 12/14/10.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER STEELE, MOVED TO RECEIVE AND FILE COMMUNICATION NO. 310260. THE MOTION CARRIED.

- 310261 **MORROW BROTHERS FORD, INC. (PROPOSED CONTRACT).** Transmitting a Communication, dated October 29, 2010 from Thomas J. Dart, Sheriff of Cook County by Alexis A. Herrera, Chief Financial Officer:

requesting authorization for the Purchasing Agent to enter into a contract and execute such agreements, addenda and other documents as may be necessary to accomplish the County's participation in the State of Illinois' contract with MORROW BROTHERS FORD, INC., Greenfield, Illinois, for the purchase of five (5) Ford F-150 Pickup Trucks.

Reason: This request will be completed in accordance with the procedures established by the State of Illinois and Cook County with respect to the Joint Purchasing Program.

Estimated Fiscal Impact: \$137,075.00. One time purchase. (717/211-549 Account).

The Vehicle Steering Committee concurs with this recommendation.

This equipment was included in the 2010 Capital Equipment Program approved by the Board of Commissioners on November 19, 2009.

***Referred to the Committee on Finance on 12/14/10.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER STEELE, MOVED TO RECEIVE AND FILE COMMUNICATION NO. 310261. THE MOTION CARRIED.

- 310746 **COOK COUNTY DEPARTMENT OF PUBLIC HEALTH SHALL COMPLETE AN INVENTORY OF COUNTY DENTAL SERVICES (PROPOSED RESOLUTION).** Submitting a Proposed Resolution sponsored by Peter N. Silvestri, County Commissioner and Co-Sponsored by Toni Preckwinkle, President and Bridget Gainer, County Commissioner.

PROPOSED RESOLUTION

WHEREAS, Cook County is facing an oral health care crisis; and

WHEREAS, with one of the lowest reimbursement rates in the country, Illinois is leaving thousands of hard working Cook County families caught in a painful, degrading and sometimes life threatening oral health care gap; and

WHEREAS, one third of Illinois' underserved population resides in Cook County and 1.4 million county residents rely on government sponsored dental care; and

WHEREAS, the number of children and adults enrolled in public aid programs continue to increase, while critical oral health care programs remain unfunded; and

WHEREAS, in Cook County, 64 percent of third graders have had cavities and 39 percent have untreated cavities; and

WHEREAS, there is often a 3 to 12 month wait for specialty dental treatment, which in many cases, results in more expensive emergency care; and

WHEREAS, there is a medically proven link between overall health and oral health, with studies showing that poor oral health may be linked to heart disease, stroke, pre-term child birth and oral cancer.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County Department of Public Health shall collect a complete inventory of county dental services including clinic location, hours of operation, a list of staff at each location, salary/hourly compensation of each employee, number of patients served, population served, length of time a patient must wait to see a dentist for general care and specialty care, procedures performed, clinics closed in the last ten years, including clinic location, date opened and date closed, and remaining inventory; and report back to the County Board within 30 days of the passage of this Resolution.

***Referred to the Committee on Finance on 01/19/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER STEELE, MOVED TO RECEIVE AND FILE COMMUNICATION NO. 310746. THE MOTION CARRIED.

311624 **ELMOTEC, INC. (PROPOSED CONTRACT).** Transmitting a Communication, dated February 17, 2011 from Thomas J. Dart, Sheriff of Cook County by John J. Harrington, Executive Director, Sheriff's Impact Incarceration Department:

requesting that the Board of Commissioners approve as amended the following contract, which was previously approved on the April 20, 2010, Agenda Item #33.

The amendment is indicated by the underscored and stricken language.

Transmitting a Communication, dated March 22, 2010 from Thomas J. Dart, Sheriff of Cook County by David S. Devane, Executive Director, Department of Community Supervision and Intervention, John J. Harrington, Boot Camp Director, Sheriff's Impact Incarceration Department, Terrie McDermott, Executive Director, Department of Women's Justice Services

requesting authorization for the Purchasing Agent to enter into a contract with ELMOTEC, INC., Naperville, Illinois, to provide integrated electronic monitoring and hosting services for select participants of the Departments of Community Supervision and Intervention, Impact Incarceration and Women's Justice Services. (See related Agenda Item #36).

Reason: ElmoTech, Inc. is being recommended for award based upon the results of a Request for Proposal (RFP) process. The Sheriff's Office in conjunction with the Purchasing Agent, conducted an RFP with the goal of awarding a contract for Electronic Monitoring Services. There was one (1) respondent to this RFP after two (2) attempts. This company was chosen based upon their adherence to the specific criteria requested and the scoring of the selection committee.

Estimated Fiscal Impact: ~~\$4,305,492.00. Grant funded amount: \$196,632.00. Total contract amount: \$4,502,124.00.~~ Contract period: May 1, 2010 through April 30, 2013.

Total for Department of Women's Justice Services: \$1,027,404.00 (FY 2010 - \$199,773.00; FY 2011 - \$342,468.00; FY 2012 - \$342,468.00; and FY 2013 - \$142,695.00). (212-449

Account). Total for Department of Community Supervision and Intervention: \$3,278,088.00 (FY 2010 - \$637,406.00; FY 2011 - \$1,092,696.00; FY 2012 - \$1,092,696.00; and FY 2013 - \$455,290.00). (236-449 Account). Requisition No. 02360012.

Grant funded amount: ~~\$196,632.00~~ \$38,234.00. ~~(FY 2010 — \$38,234.00; FY 2011 — \$65,544.00, FY 2012 — \$65,544.00, and FY 2013 — \$27,310.00).~~ ~~(646-449 Account).~~ Requisition No. 06460006 Total for Boot Camp: \$158,398.00 (FY 2011 - \$65,544.00, FY 2012 - \$65,544.00, and FY 2013 - \$27,310.00). (235-449 Account).

Approval of this item would commit Fiscal Year ~~2011~~, 2012 and 2013 funds.

Vendor has met the Minority and Women Business Enterprise Ordinance.

***Referred to the Committee on Finance on 03/15/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER STEELE, MOVED TO RECEIVE AND FILE COMMUNICATION NO. 311624. THE MOTION CARRIED.

312367 **AN AMENDMENT TO CHAPTER 34, SECTION 34-121. - CONTRACTS FOR SUPPLIES, MATERIALS AND WORK (PROPOSED ORDINANCE AMENDMENT).** Submitting a Proposed Ordinance Amendment sponsored by John P. Daley, Peter N. Silvestri, Deborah Sims and Larry Suffredin, County Commissioners, Co-sponsored by Toni Preckwinkle, President, Cook County Board of Commissioners.

PROPOSED ORDINANCE AMENDMENT

34-121. Contracts for Supplies, Materials, and Work

All contracts for services shall contain a provision requiring the vendor to submit itemized time records indicating the dates that services were provided, a detailed description of the work performed on each such date, and the amount of time spent performing work on each such date. Contracts for services shall also require vendors to submit a record of the types and amounts of expenses incurred related to the work performed if the vendor uses County funds to pay for any such expenses or seeks reimbursement for any such expenses incurred. All contracts for services shall further require that the itemized time and expense records be submitted with the vendor's invoice as a condition of payment for services rendered. Nothing in this Section shall prevent the use of alternative compensation structures in contracts that are not based upon compensation for hours worked; however, time and expense reports are required of all service vendors regardless of whether their compensation is based on the number of hours worked or any other formula. Any invoice submitted that is based upon an alternative compensation structure shall indicate the basis upon which payment is being sought. The Purchasing Agent shall not issue a purchase order in connection with any contract for services failing to comply with this Section, and the Comptroller shall not issue payment to any vendor of services who has not submitted the requisite time and expense records.

No vendor of services shall be paid in advance for work to be performed unless approved by the Board of Commissioners, and no vendor of services shall be paid for work performed prior to the issuance of a purchase order. Any contract for services not subjected to the competitive bidding process shall be reported to the Board of Commissioners by the

Purchasing Agent within 72 hours of authorization, excluding Saturdays, Sundays, and Holidays.

***Referred to the Committee on Finance on 04/20/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER STEELE, MOVED TO RECEIVE AND FILE COMMUNICATION NO. 312367. THE MOTION CARRIED.

- 313131 **JUVENILE TEMPORARY DETENTION CENTER**, by Earl L. Dunlap, Transitional Administrator. Transmitting a Communication, dated April 27, 2011: requesting authorization for the Purchasing Agent to advertise for bids for the purchase of staff uniforms and accessories.

Contract period: August 1, 2011 through July 31, 2012. (440-320 Account).
Approval of this item would commit Fiscal Year 2012 funds.

***Referred to the Committee on Finance on 06/14/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO DEFER COMMUNICATION NO. 313131. THE MOTION CARRIED.

- 313132 **SHERIFF OF COOK COUNTY**, Thomas J. Dart by Gary Hickerson, Acting Executive Director, Department of Corrections. Transmitting a Communication, dated May 25, 2011:

requesting authorization for the Purchasing Agent to advertise for bids for the purchase of uniforms for male and female detainees.

Contract period: October 1, 2011 through September 30, 2012. (239-320 Account).

Approval of this item would commit Fiscal Year 2012 funds.

***Referred to the Committee on Finance on 06/14/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO DEFER COMMUNICATION NO. 313132. THE MOTION CARRIED.

- 313133 **SHERIFF OF COOK COUNTY**, Thomas J. Dart by Gary Hickerson, Acting Executive Director, Department of Corrections. Transmitting a Communication, dated May 25, 2011:

requesting authorization for the Purchasing Agent to advertise for bids for the purchase of sheets, towels and washcloths for detainees.

Contract period: October 1, 2011 through September 30, 2012. (239-330 Account).

Approval of this item would commit Fiscal Year 2012 funds.

***Referred to the Committee on Finance on 06/14/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO DEFER COMMUNICATION NO. 313133. THE MOTION CARRIED.

- 313616 **JUVENILE TEMPORARY DETENTION CENTER**, Earl L. Dunlap, Transitional Administrator, transmitting a Communication, dated June 23, 2011:

requesting authorization for the Purchasing Agent to advertise for bids for the purchase of resident uniform clothing (trousers, underwear, shoes, etc.).

Contract period: October 20, 2011 through October 19, 2012. (440-320 Account).

Approval of this item would commit Fiscal Year 2012 funds.

***Referred to the Committee on Finance on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO DEFER COMMUNICATION NO. 313616. THE MOTION CARRIED.

- 313617 **HENNESSY & ROACH, P.C. (PROPOSED CONTRACT)**, Dorothy A. Brown, Clerk Of The Circuit Court, transmitting a Communication: requesting authorization for the Purchasing Agent to enter into a contract with Hennessy & Roach, P.C., Chicago, Illinois, for labor relations consultant services.

Reason: Hennessy & Roach, P.C., was selected through the Request for Proposal (RFP) process. The Clerk of the Circuit Court received responses from five (5) vendors. The vendor that was selected is highly qualified and provided the best value to the County for a three (3) year Agreement.

Estimated Fiscal Impact: \$283,000.00 [\$243,211.00 - (335-261 Account); *\$21,295.50 - (528-261 Account); and **\$18,493.50 - (529-261 Account)]. Contract period: September 1, 2011 through August 31, 2014.

Approval of this item would commit Fiscal Years 2012, 2013, and 2014 funds.

*Sufficient funds are available in the Clerk of the Circuit Court Automation Fund, and the Clerk of the Circuit Court Document Storage Fund.

***Referred to the Committee on Finance on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO DEFER COMMUNICATION NO. 313617. THE MOTION CARRIED.

- 313618 **SHERIFF OF COOK COUNTY**, Thomas J. Dart by Kevin McGuire, Director, Vehicle Services, transmitting a Communication, dated May 24, 2011: requesting authorization for the Purchasing Agent to advertise for bids for the purchase of Automotive maintenance and repair, zone one (1) for Cook County Sheriff Department vehicles.

The boundaries for zone one (1) are as follows: NORTH: North Cook County border limits; EAST: East Cook County border limits; SOUTH: North side of Addison Avenue; WEST: West County border line.

Contract period: December 21, 2011 through December 20, 2013. (499-444 Account).

Approval of this item would commit Fiscal Years 2012 and 2013 funds.

***Referred to the Committee on Finance on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO APPROVE COMMUNICATION NO. 313618. THE MOTION CARRIED.

- 313619 **SHERIFF OF COOK COUNTY**, Thomas J. Dart by Kevin McGuire, Director, Vehicle Services, transmitting a Communication, dated May 24, 2011: requesting authorization for the Purchasing Agent to advertise for bids for the purchase of Automotive maintenance and repair, zone two (2) for Cook County Sheriff Department vehicles.

The boundaries for zone two (2) are as follows: NORTH: South side of Addison Avenue; SOUTH: North side of Eisenhower Expressway; WEST: Cook County border limits; EAST: Cook County border limits.

Contract period: November 6, 2011 through November 5, 2013. (499-444 Account).

Approval of this item would commit Fiscal Years 2012 and 2013 funds.

***Referred to the Committee on Finance on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO APPROVE COMMUNICATION NO. 313619. THE MOTION CARRIED.

- 313620 **SHERIFF OF COOK COUNTY**, Thomas J. Dart by Kevin McGuire, Director, Vehicle Services, transmitting a Communication, dated May 24, 2011: requesting authorization for the Purchasing Agent to advertise for bids for the purchase of automotive maintenance and repair, zone three (3) for Cook County Sheriff Department vehicles.

The boundaries for zone three (3) are as follows: NORTH: South side of Eisenhower Expressway; SOUTH: North side of 79th Street; WEST: West Cook County border limits; EAST: West side of Cicero Avenue.

Contract period: November 6, 2011 through November 5, 2013. (499-444 Account).

Approval of this item would commit Fiscal Years 2012 and 2013 funds.

***Referred to the Committee on Finance on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO APPROVE COMMUNICATION NO. 313620. THE MOTION CARRIED.

- 313621 **SHERIFF OF COOK COUNTY**, Thomas J. Dart by Kevin McGuire, Director, Vehicle Services, transmitting a Communication, dated May 25, 2011: requesting authorization for the Purchasing Agent to advertise for bids for the purchase of automotive maintenance and repair, zone four (4) for Cook County Sheriff Department vehicles.

The boundaries for zone four (4) are as follows: NORTH: South side of the Eisenhower Expressway; EAST: East Cook County border limits; SOUTH: North side of 79th Street; WEST: East side of Cicero Avenue.

Contract period: December 1, 2011 through November 30, 2013. (499-444 Account).

Approval of this item would commit Fiscal Years 2012 and 2013 funds.

***Referred to the Committee on Finance on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO APPROVE COMMUNICATION NO. 313621. THE MOTION CARRIED.

- 313622 **SHERIFF OF COOK COUNTY**, Thomas J. Dart by Kevin McGuire, Director, Vehicle Services, transmitting a Communication, dated May 25, 2011: requesting authorization for the Purchasing Agent to advertise for bids for the purchase of automotive maintenance and repair, zone five (5) for Cook County Sheriff Department vehicles.

The boundaries for zone five (5) are as follows: NORTH: South side of 79th Street; SOUTH: North side of 127th Street; WEST: West Cook County border limits; EAST: West side of Cicero Avenue.

Contract period: November 6, 2011 through November 5, 2013. (499-444 Account).

Approval of this item would commit Fiscal Years 2012 and 2013 funds.

***Referred to the Committee on Finance on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO APPROVE COMMUNICATION NO. 313622. THE MOTION CARRIED.

- 313623 **SHERIFF OF COOK COUNTY**, Thomas J. Dart by Kevin McGuire, Director, Vehicle Services, transmitting a Communication, dated May 25, 2011: requesting authorization for the Purchasing Agent to advertise for bids for the purchase of Automotive maintenance and repairs, zone six (6) for Cook County Sheriff Department vehicles.

The boundaries for zone six (6) are as follows: NORTH: South side of 79th Street; EAST: East Cook County border limits;

JOURNAL OF PROCEEDINGS FOR JULY 27, 2011

SOUTH: North side of 127th Street;
WEST: East side of Cicero Avenue.

Contract period: December 5, 2011 through December 4, 2013. (499-444 Account).

Approval of this item would commit Fiscal Years 2012 and 2013 funds.

***Referred to the Committee on Finance on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO APPROVE COMMUNICATION NO. 313623. THE MOTION CARRIED.

313642 **QUARTERLY REPORT OF SAVINGS TO THE COUNTY DUE TO FURLOUGH AND/OR SHUTDOWN DAYS.** Transmitting a Communication dated July 8, 2011 from Constance M. Kravitz, Comptroller:

Re: Cook County Employee Furlough/Shutdown Report

requesting that the above mentioned quarterly report be Received and Filed.

***Referred to the Committee on Finance on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER STEELE, MOVED TO RECEIVE AND FILE COMMUNICATION NO. 313642. THE MOTION CARRIED.

SECTION 12

Your Committee has considered the highway bills submitted by the Superintendent of Highways for approval and payment.

Your Committee, after considering said bills, recommends that they be, and by the adoption of this report, approved.

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE HIGHWAY BILLS. THE MOTION CARRIED.

**COOK COUNTY, ILLINOIS
COMPTROLLER'S OFFICE JOURNAL
BILLS TRANSMITTED FROM DEPARTMENT OF HIGHWAYS
COOK COUNTY HIGHWAY DEPARTMENT – JULY 27, 2011**

VENDOR	DESCRIPTION	AMOUNT
<u>MOTOR FUEL TAX FUND NO. 600-600</u>		
Acura	Section: 10-W2839-01-RP Greenwood Avenue, Oakton Street to Golf Road	

JOURNAL OF PROCEEDINGS FOR JULY 27, 2011

	Estimate #13 and semi-final	\$10,061.61
Albin Carlson & Company	Section: 04-B8431-08-PV 171st Street, Wood Street to Ashland Estimate #41 and semi-final	6,117.05
Capitol Cement Company	Section: 01-A5020-02-RP Lake-Cook Road, East of Wilmot Road to Pfingsten Road Estimate #5	567,447.98
Greco Contractors, Inc.	Section: 09-V6946-03-RP Arlington Heights Road, University Drive to Lake-Cook Road Estimate #8	445,986.27
K-Five Construction Corporation	Section: 11-C1125-02-RS Sauk Trail, Harlem Avenue to Ridgeland Avenue Estimate #2	129,621.37
Plote Construction, Inc.	Section: 11-A7923-03-RS Winnetka Road, Waukegan Road to Edens Expressway Estimate #2	111,646.50
Plote Construction, Inc.	Section: 10-A7816-02-RS Group 1-2011: Willow Road/Wheeling Road Estimate #2	125,250.69
<u>MOTOR FUEL TAX FUND NO. 600-600</u>		
Meade Electric Company, Inc.	Section: 11-8EMIM-39-GM Maintenance Charges April, 2011 May, 2011 Extra work Authorization No. 2011011 Authorization No. 2010023	137,198.00 139,634.00 250.00 105.03
Meade Electric Company, Inc.	Section: 10-8EMIM-38-GM Extra work Authorization No. 2010022 Authorization No. 2010025 Authorization No. 2010043	589.62 20.00 1,522.19
Village of Northbrook	Section: 11-8EMIM-39-GM Water Charges Pump Station No. 5 Lake-Cook Road at Union Pacific Railroad	

JOURNAL OF PROCEEDINGS FOR JULY 27, 2011

	Account No. 1-1055-099-0000-0000-00 From March 16, 2011 to June 15, 2011	25.41
Village of Glenview	Section: 11-8EMIM-39-GM Water Charges Pump Station No. 2 East Lake Avenue at East Pfingsten Road Executive Lane Account No. G-89-00-1200 From December 17, 2010 to March 14, 2011	7.35
Meade Electric Company, Inc.	Section: 11-8EMIM-39-GM Extra work Authorization No. 2011006 Authorization No. 2011007 Authorization No. 2011008 Authorization No. 2011010	953.65 398.13 496.25 268.99
Meade Electric Company, Inc.	Section: 10-8EMIM-38-GM Extra work Authorization No. 2010041 Authorization No. 2010034 Authorization No. 2010031	25.00 30.45 2,543.50
Meade Electric Company, Inc.	Section: 09-8EMIM-37-GM Extra work Authorization No. 2009005	688.38
Meade Electric Company, Inc.	Section: 07-8EMIM-35-GM Extra work Authorization No. 2007022	900.00
Village of Deerfield	Section: 11-8EMIM-39-GM Water Charges Pump Station No. 4 Lake-Cook Road at Metra Railroad Account No. 61-0620 From April 20, 2011 to May 19, 2011	12.70
Village of Richton Park	Section: 11-8EMIM-39-GM Water Charges Pump Station No. 3 Sauk Trail and Illinois Central Gulf Railroad Account No. 0096905200-00 From January 26, 2011 to April 25, 2011	80.72

MOTOR FUEL TAX FUND NO. 600-600

TITLE FEE

88TH AVENUE	SECTION: 03-W3017-03-FP	100.00
Chicago Title Insurance Company	TR 18-07	

TEMPORARY EASEMENT

88TH AVENUE

SECTION: 03-W3017-03-FP

2,500.00

Standard Bank & Trust Co. TUT 17227

TE 967.2

COMMISSIONER STEELE, SECONDED BY COMMISSIONER MURPHY, MOVED TO ADJOURN. THE MOTION CARRIED AND THE MEETING WAS ADJOURNED.

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION
WITH REGARD TO THE MATTERS NAMED HEREIN:**

Communication No. 310251	Received and Filed
Communication No. 310252	Received and Filed
Communication No. 310255	Received and Filed
Communication No. 310257	Received and Filed
Communication No. 310258	Received and Filed
Communication No. 310259	Received and Filed
Communication No. 310260	Received and Filed
Communication No. 310261	Received and Filed
Communication No. 310746	Received and Filed
Communication No. 311624	Received and Filed
Communication No. 312367	Received and Filed
Communication No. 313131	Deferred
Communication No. 313132	Deferred
Communication No. 313616	Deferred
Communication No. 313617	Deferred
Communication No. 313618	Approved
Communication No. 313619	Approved
Communication No. 313620	Approved
Communication No. 313621	Approved
Communication No. 313622	Approved
Communication No. 313623	Approved
Communication No. 313642	Received and Filed

Respectfully submitted,

COMMITTEE ON FINANCE

JOHN P. DALEY, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Daley, seconded by Commissioner Sims, moved that the Report of the Committee on Finance be approved and adopted. **The motion carried unanimously.**

REPORT OF THE COMMITTEE ON FINANCE

REPORT OF THE COMMITTEE ON FINANCE

(Public Hearing)

July 25, 2011

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Daley, Vice Chairman Sims, Commissioners Butler, Collins, Fritchey, Gainer, Garcia, Gorman, Goslin, Murphy, Reyes, Schneider, Silvestri, Suffredin and Tobolski (15).

Absent: Commissioners Beavers and Steele (2).

Also Present: Patrick T. Driscoll, Jr. – Deputy State’s Attorney, Chief, Civil Actions Bureau; Andrea Gibson – Director of Budget and Management Services; Gregg Wass – Chief Information Officer, Bureau of Technology; Dr. Terry Mason – Interim Chief Executive Officer, Cook County Health & Hospitals System; Moshe Jacobius – Presiding Judge, Chancery Division; Carina Segalini – Mortgage Foreclosure Case Management Coordinator, Circuit Court of Cook County.

Court Reporters: Holly Williams and Paula Vering

Ladies and Gentlemen:

Your Committee on Finance of the Board of Commissioners of Cook County met pursuant to notice on Monday, July 25, 2011 at the hour of 9:00 A.M. for a public hearing in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

Chairman Daley asked the Secretary to the Board to call upon the registered public speakers, in accordance with Cook County Code, Section 2-107(dd).

- 1) Marilyn Smith, Executive Director, Center for Conflict Resolution
- 2) Brandon Williams, Supervising Attorney of the Chancery Court Advice Desk
- 3) Robert Graves, Executive Director, Chicago Bar Foundation
- 4) Juan Rivera, Executive Director, Latin United Community Housing Association
- 5) Billy Ocasio, Director of Community Affairs, Illinois Housing Development Authority
- 6) Adam Gross, Director of Housing, Business & Professional People for the Public Interest
- 7) Dan Sprehe, Executive Director of Civic Engagement, JPMorgan Chase Bank
- 8) Patricia Holden, Senior Vice President State and Local Government, Bank of America

Your Committee has considered the following items and upon adoption of this report, the recommendations are as follows:

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY MOVED TO SUSPEND COOK COUNTY CODE SECTION 2-108(h)(1), PRIOR NOTICE TO PUBLIC;

AGENDAS, TO CONSIDER COMMUNICATION NOS. 312117, 312118 AND 313644. THE MOTION CARRIED.

312117 **AN ORDINANCE AMENDMENT REVISING THE PROCUREMENT AND CONTRACTS CHAPTER OF THE CODE OF ORDINANCES OF COOK COUNTY, ILLINOIS, TITLE I GENERAL ORDINANCES, CHAPTER 34, FINANCE (PROPOSED ORDINANCE AMENDMENT).** Submitting a Proposed Ordinance Amendment sponsored by Earlean Collins and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE AMENDMENT

**AN ORDINANCE REVISING THE PROCUREMENT AND CONTRACTS
CHAPTER OF THE CODE OF ORDINANCES OF COOK COUNTY, ILLINOIS**

BE IT ORDAINED, by the Cook County Board of Commissioners, that Title I General Ordinances, Chapter 34 Finance of the Code of Ordinances of Cook County, Illinois is amended as follows:

Sec. 34-121. Contracts for supplies, material and work.

C. All contracts for supplies, materials and equipment for Cook County, including the separately elected Officials, which involve an expenditure of \$100,000.000 or more shall be reviewed by a competent contract attorney from the Civil Actions Division of the Cook County State's Attorney's Office prior to final approval by the Board of Commissioners. The State's Attorney shall review the contract for content, validity, and legal sufficiency.

D. All contracts for professional and managerial services for Cook County, including the separately elected Officials, which involve an expenditure of \$25,000.000 or more shall be reviewed by a competent contract attorney from the Civil Actions Division of the Cook County State's Attorney's Office prior to final approval by the Board of Commissioners. The State's Attorney shall review the contract for content, validity, and legal sufficiency.

E. Prior to the approval of a winning vendor's bid for a contract, the Purchasing Agent shall conduct a thorough review of that vendor's background.

F. The Purchasing agent shall create and maintain an electronic revolving contract file.

G. Contracts shall not be let, renewed, extended or increased without a written performance evaluation. The results of the performance evaluation shall be reviewed by the finance committee for recommendation to the Board. The purchasing department should develop uniform criteria for such evaluations.

H. Purchasing agent shall routinely challenge all using agency's request to limit competition, particularly sole source purchases except for proprietary technological equipment and software.

I. All proposed contracts shall be made available for review by the Board of Commissioners at least three days before the Board of Commissioners takes final action on the contract.

***Referred to the Committee on Finance on 04/06/11.**

COMMISSIONER COLLINS, SECONDED BY COMMISSIONER SUFFREDIN, MOVED TO DEFER COMMUNICATION NO. 312117. THE MOTION CARRIED.

312118 **AN ORDINANCE REVISING THE PROCUREMENT AND CONTRACTS CHAPTER OF THE CODE OF ORDINANCES OF COOK COUNTY, ILLINOIS, TITLE I GENERAL ORDINANCES, CHAPTER 34, FINANCE (PROPOSED ORDINANCE AMENDMENT).** Submitting a Proposed Ordinance Amendment sponsored by Earlean Collins and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE AMENDMENT

**AN ORDINANCE REVISING THE PROCUREMENT AND CONTRACTS
CHAPTER OF THE CODE OF ORDINANCES OF COOK COUNTY, ILLINOIS**

BE IT ORDAINED, by the Cook County Board of Commissioners, that Title I General Ordinances, Chapter 34 Finance of the Code of Ordinances of Cook County, Illinois is amended as follows:

Sec. 34-151. Purchase Procedures and Competitive Bidding.

(5) All RFP and/or RFQ generated proposals shall be made available to Commissioners 3 days prior to Board action.

(c) The Purchasing department shall establish intergovernmental agreements with State and local units of government for consolidated purchases.

(d) The Purchasing agent shall be give the authority to negotiate annual joint contracts through the bid process for goods and services in accordance with line item appropriation for all Cook County departments and units of government.

(e) The Cook County Board of Commissioners shall establish a Purchasing committee to work directly with the Purchasing agent.

***Referred to the Committee on Finance on 04/06/11.**

COMMISSIONER COLLINS, SECONDED BY COMMISSIONER SUFFREDIN, MOVED TO DEFER COMMUNICATION NO. 312118. THE MOTION CARRIED.

313155 **RESOLUTION FOR THE SELECTION OF A BOND FINANCING TEAM (PROPOSED RESOLUTION).** Submitting a Proposed Resolution sponsored by Toni Preckwinkle, President, Cook County Board of Commissioners.

PROPOSED RESOLUTION

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that “a County which has a Chief Executive Officer elected by the electors of the County ... (is) a Home Rule Unit” and The County of Cook, Illinois (the “*County*”), has a Chief Executive Officer elected by the electors of the County and is therefore a Home Rule Unit and may, under the power granted by said Section 6(a) of Article VII of the Constitution of 1970, as supplemented by the Local Government Debt Reform Act, as amended, and the other Omnibus Bond Acts, as amended, exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the County has the power to incur debt payable from ad valorem property tax receipts or from any other lawful source and maturing within 40 years from the time it is incurred without prior referendum approval; and

WHEREAS, the Board of Commissioners of the County (the “*Board*”) has not adopted any ordinance, resolution, order or motion or provided any County Code provisions which restrict or limit the exercise of the home rule powers of the County in the issuance of general obligation bonds without referendum for corporate purposes or which provides any special rules or procedures for the exercise of such power; and

WHEREAS, the County anticipates issuing, from time to time, one or more series of general obligation bonds to pay approved capital project costs, to refund one or more series of its outstanding general obligation bonds, and to pay other costs the Chief Financial Officer (the “*CFO*”) deems appropriate for payment through bond proceeds; and

WHEREAS, the CFO has fulfilled the procurement requirements set forth in Chapter 34, Article IV, Division 3, Sections 34-183 and 34-185 of the Cook County Code of Ordinances; and

WHEREAS, pursuant to Sections 34-183 and 34-185 of the Cook County Code of Ordinances, the selection of senior managers, co-managers, and bond counsel are to be submitted to the Board for approval.

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the following Financing Team for Bond Issuances authorized by the Board pursuant to any 2011 Master Bond Ordinance approved and passed by the Board:

Lead Manager:	William Blair
Co-Lead Manager:	Cabrera Capital Markets LLC (MBE)
Co-Managers:	BMO Capital Markets Goldman Sachs Mesirow Financial Loop Capital Markets (MBE) Melvin and Company (MBE) Podesta and Company (WBE)
Financial Advisor:	AC Advisory (M/WBE)
Bond Counsel:	Chapman and Cutler LLP

Co-Bond Counsel: Sanchez Daniels & Hoffman LLP (MBE)

Underwriter's Counsel: Ungaretti & Harris LLP

Co-Underwriter's Counsel: Charity & Associates PC (MBE)

Effective Date: Resolution effective upon passage.

***Referred to the Finance Committee on 06/14/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO RECEIVE AND FILE COMMUNICATION NO. 313155. THE MOTION CARRIED.

313634 **AMENDING THE PREVAILING WAGE ORDINANCE AND CHAPTER 44 HUMAN RESOURCES (PROPOSED ORDINANCE AMENDMENT).** Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Submitting a Proposed Ordinance Amendment sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Robert B. Steele and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE AMENDMENT

AMENDING THE PREVAILING WAGE ORDINANCE AND CHAPTER 44 HUMAN RESOURCES

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 34 Finance, Section 34-128 and Section 34-128.5 and Chapter 44 Human Resources, Section 44-45 of the Cook County Code are hereby amended as follows:

Sec. 34-128. Prevailing wage.

~~(c) — The Bureau of Human Resources shall publicly post or keep available for inspection by any interested party in the main office of this Bureau of Human Resources (County) this determination or any revisions of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.~~

Sec. 34-128.5. - General prevailing rate of wages for employees on service contracts.

~~(d) — Such prevailing wages and working conditions shall be determined by the Chief of the Bureau of Human Resources and shall be specified in the call for bids for the services contract for each type of worker needed to execute the contract or perform such services. There shall also be inserted in the contract a stipulation that not less than the prevailing rate of wages as found by the Chief of the Bureau of Human Resources shall be paid to all laborers, workers and mechanics performing services under the contract. It shall further be required in all contractor's bonds that the contractor include such provisions as will guarantee the faithful performance of such prevailing wage clause as provided by the services contract.~~

(8) The prevailing rate of wages and prevailing working conditions for Covered Services shall be determined by the Chief of the Bureau of Human Resources. For purposes of this Section, the term "prevailing rate of wages" means the hourly cash wages plus fringe benefits for health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character. Whenever a collective bargaining agreement is in effect between the Building Owners and Managers Association of Chicago and employees who are represented by a responsible labor organization, such agreement and its provisions shall be considered as conditions prevalent in that locality by the Chief of the Bureau of Human Resources.

(9) The Bureau of Human Resources shall post on the County website or keep available for inspection the current prevailing rates of wages.

Effective date: This Ordinance Amendment shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO DEFER COMMUNICATION NO. 313634. THE MOTION CARRIED.

313635 **RELOCATING DIVISION 7 – INTERGOVERNMENTAL CONTRACTS AND DIVISION 8 – PREDATORY LENDERS FROM THE PROCUREMENT CODE TO OTHER CHAPTERS OF THE COUNTY CODE (PROPOSED ORDINANCE AMENDMENT).** Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Submitting a Proposed Ordinance Amendment sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Robert B. Steele and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE AMENDMENT

RELOCATING DIVISION 7 – INTERGOVERNMENTAL CONTRACTS AND DIVISION 8 – PREDATORY LENDERS FROM THE PROCUREMENT CODE TO OTHER CHAPTERS OF THE COUNTY CODE

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 34 Finance, Section 34-311 through Section 34-343 and Chapter 2 Administration, Section 2-950 through 2-953 and Section 2-407 of the Cook County Code are hereby amended as follows:

~~DIVISION 7~~ ARTICLE XI. INTERGOVERNMENTAL CONTRACTS

Sec. ~~34-311~~ 2-950. Authorized.

Sec. ~~34-312~~ 2-951. Intergovernmental activity by County officers and employees.

Sec. ~~34-313~~ 2-952. Intergovernmental agreements temporary.

Sec. ~~34-314~~ 2-953. Review of contracts by County Board and State's Attorney.

Sec. ~~34-315~~. ~~Computation of cost.~~

~~The cost to be charged the governmental unit pursuant to the provisions of this division shall include, in addition to actual cost for goods and services, a factor to be determined in each individual contract to recompense the County for the burden assumed for participation in such agreement.~~

~~DIVISION 8. PREDATORY LENDERS~~

Sec. ~~34-340~~ 2-407. ~~Short title~~ Predatory lending ordinance.

This ~~division~~ section may be cited as the Cook County Predatory Lending Ordinance.

Sec. ~~34-341~~. ~~Definitions.~~

(a) Definitions. The following words, terms and phrases, when used in this ~~division~~ section shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Sec. ~~34-342~~. ~~County contracts.~~

(b) County contracts.

(a) (1) The Chief Financial Officer shall determine whether any financial institution seeking a contract with the County is a predatory lender as defined in this division section. If the Chief Financial Officer determines that any such financial institution is a predatory lender, the County will not award a contract to such financial institution. For purposes of this division section, a County contract shall not include designation as a County depository. The Chief Financial Officer shall notify the Treasurer of this determination.

(b) (2) With each bid or offer submitted by a financial institution for any contract with the County, there shall be a pledge signed by the chairman of the board, chief executive officer, or other officer of the financial institution acceptable to the Chief Financial Officer. The pledge shall be in substantially the following form:

We pledge that we are not and will not become a predatory lender as defined in Cook County's Predatory Lending Ordinance. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in this Ordinance. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the County.

(c) (3) Nothing in this division section shall affect the validity of any contract entered into in connection with any debt obligations issued by or on behalf of the County prior to a determination by the Chief Financial Officer that an entity participating in the contract is a predatory lender.

(d) (4) The Chief Financial Officer, at the direction of the President of the County Board, may suspend the ineligibility of a financial institution in order to allow

Execution of a contract with the financial institution upon written application by the head of a County agency or department affected by the proposed contract setting forth facts sufficient in the judgment of the purchasing agent to establish:

~~(1)~~a. That the public health, safety or welfare of the County requires the goods or services of the financial institution; and

~~(2)~~b. That the County is unable to acquire the goods or services at comparable price and quality, and in sufficient quantity, from other sources.

~~Sec. 34-343. County depositories.~~

(c) County depositories.

~~(a)~~ (1) All financial institutions, seeking designation as a County depository by the County Board upon the request of the Treasurer, shall submit to the Chief Financial Officer, prior to any such designation, a pledge affirming that neither it nor any of its affiliates is or will become a predatory lender within the County. Upon receipt, the Chief Financial Officer shall forward this pledge to the Treasurer. The pledge shall be signed by the chairman of the board, chief executive officer, or other officer of the financial institution acceptable to the Chief Financial Officer. The pledge shall be in substantially the following form:

We pledge that we are not and will not become a predatory lender as defined in Cook County's Predatory Lending Ordinance. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in this Ordinance. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of our designation as a County depository.

~~(b)~~ (2) Upon receipt of any written complaint regarding predatory lending practices by any financial institution seeking designation as a County depository or serving as a County depository, the Chief Financial Officer shall refer such complaints to the Treasurer who may conduct an investigation of the complaint in accordance with the Treasurer's policies and procedures.

Effective date: This Ordinance Amendment shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO DEFER COMMUNICATION NO. 313635. THE MOTION CARRIED.

313636 **ORDINANCE MOVING DEFINITION OF "PROPERTY TAX INCENTIVE" FROM LIVING WAGE ORDINANCE TO CHAPTER 74 TAXATION (PROPOSED ORDINANCE AMENDMENT). Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.**

Submitting a Proposed Ordinance Amendment sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Robert B. Steele and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE AMENDMENT

**ORDINANCE MOVING DEFINITION OF "PROPERTY TAX INCENTIVE"
FROM LIVING WAGE ORDINANCE TO CHAPTER 74 TAXATION**

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 34 Finance, Section 34-127 and Chapter 74 Taxation, Section 74-71 of the Cook County Code are hereby amended as follows:

Sec. 34-127. Living wage.

~~Property tax incentive means a reduction in the assessment level as set forth in Chapter 74, Article II, Division 2 of this Code for owner-occupied Class 6b industrial property, Class 8 industrial property, or Class 9 multifamily residential property. For the purpose of this article, "property tax incentive" shall not include a Class 9 designation granted to supportive living facilities, which establish an alternative to nursing home care for low income older persons and persons with disabilities under Medicaid and which are certified by the State Department of Public Aid pursuant to Chapter 74, Article II, Division 2 of this Code, the County Real Property Assessment Classification Ordinance.~~

Sec. 74-71. - Definitions.

Property tax incentive means a reduction in the assessment level as set forth in Chapter 74, Article II, Division 2 of this Code for owner-occupied Class 6b industrial property, Class 8 industrial property, or Class 9 multifamily residential property. For the purpose of this article, "property tax incentive" shall not include a Class 9 designation granted to supportive living facilities, which establish an alternative to nursing home care for low income older persons and persons with disabilities under Medicaid and which are certified by the State Department of Public Aid pursuant to Chapter 74, Article II, Division 2 of this Code, the County Real Property Assessment Classification Ordinance.

Effective Date: This Ordinance Amendment shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO DEFER COMMUNICATION NO. 313636. THE MOTION CARRIED.

313637 **LIVING WAGE REQUIREMENT FOR PROPERTY TAX INCENTIVES (PROPOSED ORDINANCE).** Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Submitting a Proposed Ordinance sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Robert B. Steele and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE

LIVING WAGE REQUIREMENT FOR PROPERTY TAX INCENTIVES

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 74 Taxation, Section 74-72 of the Cook County Code is hereby enacted:

Sec. 74-72. Living wage requirement.

Unless expressly waived by the County Board, not less than a Living Wage, as defined in the Cook County Procurement Code, shall be paid to each Employee of any Employer that receives a Property Tax Incentive for owner-occupied property. Each Employer receiving a Property Tax Incentive shall comply with all the requirements and procedures set forth in the County Code Chapter 34 with regard to such Living Wage, including notification of Employees and all other requirements.

Effective date: This Ordinance shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO DEFER COMMUNICATION NO. 313637. THE MOTION CARRIED.

313638 **CHIEF FINANCIAL OFFICER'S DUTIES REGARDING LIVING WAGE (PROPOSED ORDINANCE).** Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Submitting a Proposed Ordinance sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Robert B. Steele and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE

CHIEF FINANCIAL OFFICER'S DUTIES REGARDING LIVING WAGE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Section 2-408 of the Cook County Code is hereby enacted as follows:

Sec. 2-408. Chief Financial Officer's duties with regard to Living Wage.

The Chief Financial Officer shall annually determine the Living Wage, as defined in the Procurement Code, which shall be 100 percent of the federal poverty line for a family of four with health benefits and 125 percent of the federal poverty line for a family of four without health benefits, as published in the most recent federal poverty guidelines by the U.S. Department of Health and Human Services. The employee health benefit contribution shall not exceed 25 percent of the health insurance premium. The Chief Financial Officer shall post the current Living Wage on its website and shall notify the Chief Procurement Officer and the Assessor of such Living Wage.

Effective date: This Ordinance shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO DEFER COMMUNICATION NO. 313638. THE MOTION CARRIED.

313639 **ASSESSOR'S DUTIES REGARDING LIVING WAGE (PROPOSED ORDINANCE).**

Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Submitting a Proposed Ordinance sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Robert B. Steele and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE

ASSESSOR'S DUTIES REGARDING LIVING WAGE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Section 2-318 of the Cook County Code is hereby enacted as follows:

Sec. 2-318. Assessor's duties with regard to Living Wage.

(a) Upon receipt of notification of the Living Wage by the CFO, the Assessor shall post the current Living Wage on the Assessor's website.

(b) The Assessor shall provide annual written notification to the Chief Financial Officer of all employers receiving property tax incentives, including the employer's name, mailing, and email address.

Effective date: This Ordinance shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO DEFER COMMUNICATION NO. 313639. THE MOTION CARRIED.

313640 **ORDINANCE AMENDING DEFINITIONS AND RULES OF CONSTRUCTION IN CHAPTER 1 GENERAL PROVISIONS (PROPOSED ORDINANCE AMENDMENT).** Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

Submitting a Proposed Ordinance Amendment sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Robert B. Steele and Larry Suffredin, County Commissioners

PROPOSED ORDINANCE AMENDMENT

**ORDINANCE AMENDING DEFINITIONS AND RULES OF CONSTRUCTION
IN CHAPTER 1 GENERAL PROVISIONS**

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 1 General Provisions, Section 1-3 of the Cook County Code are hereby amended

as follows:

Sec. 1-3. Definitions and rules of construction.

The term "Department" means a department which is a part of the government of the County of Cook, Illinois, and shall include an agency which is a part of the government of the County of Cook, Illinois. ~~However, for the purposes of Chapter 34, Article IV, the term "Department" means one of the entries listed in the Index of Departments contained in the Annual Appropriation Bill.~~

Effective Date: This Ordinance Amendment shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO DEFER COMMUNICATION NO. 313640. THE MOTION CARRIED.

313641 **RELOCATING, FROM CHAPTER 34 TO CHAPTER 2, SALE OR PURCHASE OF REAL ESTATE (PROPOSED ORDINANCE AMENDMENT).** Transmitting a Communication, dated July 11, 2011 from Toni Preckwinkle, President, Cook County Board of Commissioners.

PROPOSED ORDINANCE AMENDMENT

Submitting a Proposed Ordinance Amendment sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Robert B. Steele and Larry Suffredin, County Commissioners

**RELOCATING, FROM CHAPTER 34 TO CHAPTER 2
SALE OR PURCHASE OF REAL ESTATE**

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 34 Finance, Section 34-133 and Chapter 2 Administration, Section 2-362 of the Cook County Code are hereby amended as follows:

Sec. ~~34-133~~ 2-362. Sale or purchase of real estate.

(a) Unless the sale price is \$50,000.00 or less, no surplus real estate owned by the County shall be sold or exchanged or otherwise disposed of unless two written independent fee appraisal reports have first been obtained and presented to the County Board and the proposed sale or exchange has been presented to the Committee on Finance Real Estate and Business and Economic Development Subcommittee of the County Board. At least one of such appraisals shall be performed by an M.A.I.-certified appraiser. The grantee may be required to pay the cost of such appraisals as a condition of conveyance of the real estate proposed to be sold or exchanged or otherwise disposed of.

(b) Unless the purchase price is \$50,000.00 or less, no real estate shall be purchased by the County unless two written independent fee appraisal reports have first been obtained and presented to the County Board and the proposed purchase has been presented to the Committee on Finance Real Estate and Business and Economic

Development Subcommittee of the County Board. At least one of such appraisals shall be an M.A.I. appraisal.

I If the sale or purchase price is \$50,000.00 or less, only one appraisal shall be required, which appraisal shall be performed by an M.A.I.-certified appraiser or a State certified general appraiser licensed by the State of Illinois and having expertise in appraising similar properties.

Effective Date: This Ordinance Amendment shall be in effect immediately upon adoption.

***Referred to the Finance Committee on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO DEFER COMMUNICATION NO. 313641. THE MOTION CARRIED.

313643 **FISCAL YEAR 2011 CAPITAL EQUIPMENT REQUESTS.** Transmitting a Communication dated July 11, 2011 from Andrea Gibson, Director, Budget and Management Service:

Subject: Fiscal Year 2011 Capital Equipment Requests

Pursuant to Executive Order 2010-1 placing a moratorium on capital equipment, the Department of Budget and Management Services is submitting a report for Fiscal Year 2011 Capital Equipment Requests. A summary report by department and category of purchase is available for viewing or download at the following website: <http://legacy.cookcountygov.com/secretary>

***Referred to the Finance Committee on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER GARCIA, MOVED APPROVAL OF COMMUNICATION NO. 313643. THE MOTION CARRIED.

313644 **AMENDMENT AND RESTATEMENT OF COOK COUNTY PROCUREMENT ORDINANCE (PROPOSED ORDINANCE AMENDMENT).** Submitting a Proposed Ordinance Amendment sponsored by Toni Preckwinkle, President, Earlean Collins, Jerry Butler, John P. Daley, Jesus G. Garcia, Robert B. Steele and Larry Suffredin, County Commissioners.

PROPOSED ORDINANCE AMENDMENT

AMENDMENT AND RESTATEMENT OF COOK COUNTY PROCUREMENT ORDINANCE

PREAMBLE

WHEREAS, the Chief Procurement Officer (the "CPO") is charged with the responsibility to Procure and contract for all services, supplies, materials and equipment, required by any office, department, institution or agency of the County government;

WHEREAS, one goal of the CPO is to serve the citizens of Cook County by obtaining

quality goods and services at the lowest cost while operating the highest standards of ethical conduct;

WHEREAS, the CPO seeks to ensure the timely and efficient procurement of supplies, materials, equipment and services;

WHEREAS, the CPO seeks to employ a transparent procurement process in which authority, responsibility and accountability are clearly delineated; and

WHEREAS, a clear and consistent procurement code is essential to achieve the goals of transparency, fairness, efficiency, accountability and economy;

NOW, THEREFORE, BE IT ORDAINED, that Chapter 34, Article IV of the Cook County Code, is hereby amended and restated in its entirety to read as follows:

***Referred to the Finance Committee on 07/12/11.**

The Proposed Ordinance in Comm. No. 313644 appears above in synopsis form. For a complete version, please visit the website of the Secretary to the Board at <http://legacy.cookcountygov.com/secretary>

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED TO AMEND BY SUBSTITUTION THE COMPREHENSIVE RESTATEMENT OF THE COOK COUNTY PROCUREMENT CODE (COMMUNICATION NO. 313644). THE MOTION CARRIED, AND THE PROPOSED ORDINANCE WAS REPLACED BY THE FOLLOWING SUBSTITUTE:

PROPOSED SUBSTITUTE ORDINANCE FOR COMM. NO. 313644

Sponsored by

THE HONORABLE TONI PRECKWINKLE, PRESIDENT, JOHN P. DALEY
AND LARRY SUFFREDIN, COOK COUNTY BOARD OF COMMISSIONERS

PREAMBLE

WHEREAS, the Chief Procurement Officer (the "CPO") is charged with the responsibility to Procure and contract for all services, supplies, materials and equipment, required by any office, department, institution or agency of the County government;

WHEREAS, one goal of the CPO is to serve the citizens of Cook County by obtaining quality goods and services at the lowest cost while operating the highest standards of ethical conduct;

WHEREAS, the CPO seeks to ensure the timely and efficient procurement of supplies, materials, equipment and services;

WHEREAS, the CPO seeks to employ a transparent procurement process in which authority, responsibility and accountability are clearly delineated; and

WHEREAS, a clear and consistent procurement code is essential to achieve the goals of transparency, fairness, efficiency, accountability and economy;

NOW, THEREFORE, BE IT ORDAINED THAT Chapter 34, Article IV of the Cook County Code, is hereby amended and restated in its entirety to read as follows:

DIVISION 1. GENERAL PROVISIONS

Sec. 34-120. Short title.

Chapter 34, Article IV of this Code shall be known and may be cited as the Cook County Procurement Code.

Sec. 34-121. Definitions.

Unless defined elsewhere in this Procurement Code or in Chapter 1, Section 1-3 of the County Code, capitalized terms used in this Procurement Code shall have the meanings set forth below.

Affiliate. An “Affiliate” of, or a Person “Affiliated” with, a specified Person shall mean any Person that directly or indirectly through one or more intermediaries, Controls, is Controlled by, or is under common Control with, the Person specified.

Assessor means the Assessor of Cook County.

“Auditing Services” means the formal examination of accounting records or financial statements for compliance with financial accounting standards applicable to governmental entities, which functions are generally exclusively performed or supervised by Persons licensed and authorized to do business as public accountants in the State. The term "Auditing Services" shall also include any independent reports and management recommendations derived or resulting from the performance of auditing services and which reports and recommendations are included within the scope of the Contract for Auditing Services.

Bid means a response to a Bid Notice containing all Bid Documents and any other documents or information the Bidder is required to provide.

Bid Documents means the documents, specifications, forms and other information necessary required for a Bid.

Bid Notice means the notice from the CPO regarding a Procurement which shall include: a general description of the Procurement; information necessary to obtain the Bid Documents; and the date, time and place for both the submission of Bids and the opening of the Bids.

Bid Price means the dollar amount set forth in a Bid.

Bidder means any Person who submits a Bid.

Chief Financial Officer or "CFO" means the Chief Financial Officer of Cook County.

Chief Procurement Officer or "CPO" means the Chief Procurement Officer of Cook County. References in this Procurement Code to actions required to be taken by the CPO shall be deemed to include designees or staff of the CPO.

“Consulting Services” means the rendering of analysis and advice requiring specialized expertise in a particular subject area or field. Such expertise may have been gained by education or experience in the area or field. The term “Consulting Services” expressly excludes auditing services.

Contract shall include any written document to make Procurements by or on behalf of Cook County.

Contract Compliance Director or *CCD* means the County Contract Compliance Director.

Contractor means the Person that enters into a Contract with the County.

Control. The term “Control”, “is Controlled by”, or is “under common Control with” shall mean a Person that has the power to directly or indirectly affect the management or the policies of the other through ownership of voting securities or voting rights, by contract or otherwise

Court Ordered Child Support Arrearage means that the Circuit Court of Cook County has issued an order declaring the respondent in arrearage on child support obligations in a specific amount as of the date of that order, or that another Illinois or non Illinois court of competent jurisdiction has issued such an order.

Covered Services means janitorial cleaning services, window cleaning services, elevator operator and starter services, and security services.

Elected Official means the President and Commissioners of the Cook County Board, Assessor, Board of Review, Chief Judge, Clerk of the Circuit Court, County Clerk, Recorder of Deeds, Sheriff, State’s Attorney, Treasurer, and any other elected official included in the Cook County Appropriations Ordinance.

Employee means any individual working on a full-time basis, and providing services, for an Employer under a Contract. “Employees” shall not include workers required to be paid the prevailing wage pursuant to Section 34-161.

Employer means any Person that employs one or more full-time Employees.

Execution means to sign a Contract, after it has been approved by the CPO or the Board, as required by this Procurement Code.

Joint Venture means an association of two or more Persons proposing to perform a for profit business enterprise. Joint Ventures must have an agreement in writing specifying the terms and conditions of the relationship between the partners and their relationship and respective responsibility for the Contract.

Living Wage means those amounts established from time to time by the CFO, and posted on the CPO’s website pursuant to Section 34-160.

Local business means a Person, including a foreign corporation authorized to transact business in Illinois, having a bona fide establishment located within the County at which it is transacting business on the date when a Bid is submitted to the County, and which employs the majority of its regular, full-time work force within the County. A Joint Venture shall constitute a Local Business if one or more Persons that qualify as a “Local Business” hold interests totaling over 50% in the Joint Venture, even if the Joint Venture does not, at the time of the Bid submittal, have such a bona fide establishment within the County.

Not-for-Profit Organization means an entity having tax exempt status under the United States Internal Revenue Code.

Person or Persons means any individual, corporation, partnership, Joint Venture, trust, association, limited liability company, sole proprietorship or other legal entity.

Procurement. The term “Procurement”, “Procurements” or “Procuring” means obtaining supplies, equipment, goods, or services of any kind.

Procurement Code means Chapter 34, Article IV.

Proposal means a response to an RFP.

Proposer means a Person submitting a Proposal.

Public Works means all fixed works constructed or demolished by the County, or paid for wholly or in part out of public funds administered by the County. "Public Works" as defined herein includes all projects financed in whole or in part with bonds, grants, loans, or other funds made available by or through federal or State government, or the County. "Public Works" does not include projects undertaken by the owner at an owner-occupied single-family residence or at an owner-occupied unit of a multi-family residence. “Public Works” includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented.

Response means response to an RFQ.

Respondent. The term “Respondent” means a Person responding to an RFQ.

Responsible means a Person that has the capability in all respects to perform fully a Contract or to provide the required supplies, equipment, goods or services to the County, and the integrity and reliability that will assure good faith performance. Factors taken into consideration in determining whether a Person is Responsible may include quality, financial capacity, past performance, experience, adequacy of staff, equipment, and the ability to perform within the time frame required for the Procurement.

Responsive means a Bid, a Response or a Proposal is in compliance in all material respects with all the terms, conditions and requirements set forth in the Bid Documents, RFP, RFQ, request for quotations or other terms required for a Procurement, including but not limited to completion and timely submittal of all required affidavits, statements, certifications, bid deposits, insurance, performance and payment bonds and other County requirements.

RFP means a Request for Proposals issued pursuant to this Procurement Code.

RFQ means a Request for Qualifications issued to obtain the qualifications of interested parties.

Using Agency means the departments or agencies within Cook County government, including Elected Officials.

Wage. The term “Wage” means compensation due to an Employee by reason of employment, including allowances for gratuities and for meals and lodging that are furnished by the Employer and actually used by the Employee.

Sec. 34-122. Procurements and contracts.

All Procurements for or by any Using Agency of Cook County, regardless of the source of the funds used to pay for such Procurement, shall be made by the CPO, and in accordance with this Procurement Code and the procedures promulgated pursuant hereto. All Contracts shall be in a form determined by the CPO. Contracts shall be approved and executed as set forth in the procedures promulgated pursuant to and in this Procurement Code.

Sec. 34-123. No power to act for procurements or expenditures of ~~\$250,000.00~~150,000.00 or more.

The CPO shall have the authority to approve Procurements and execute Contracts in an amount less than ~~\$250,000.00~~150,000.00 without Board approval; provided, however, that, Board approval shall be required for any Procurement of the same or similar supplies, goods, equipment or services, which would result in the aggregate amount of such Procurements from the same vendor by the same Using Agency equaling or exceeding ~~\$250,000.00~~150,000.00 in any fiscal year. The "amount" of a Contract shall mean the maximum amount payable under such Contract.

No Person has the power or authority to approve, authorize or execute a Procurement, a Contract, or the expenditure of public money in the amount of ~~\$250,000.00~~150,000.00 or more without approval of the County Board, except in the following instances: the payment of public utility bills, the payment of rent pursuant to the provisions of a lease previously approved by the County Board, payment of insurance premiums, or other Board-authorized transactions. Any action in violation of this section shall be null and void.

Sec. 34-124. Chief Procurement Officer.

The President, with the consent of the Board, shall appoint a Chief Procurement Officer who shall be responsible for making all Procurements for all Using Agencies and for managing the County's Procurement Process in accordance with this Procurement Code. Any individual so appointed shall have at least three years experience in an executive capacity in the purchasing office of a private or public entity with procurements reasonably comparable in size and nature to those of the County.

Sec. 34-125. Powers and duties of the Chief Procurement Officer.

The Chief Procurement Officer shall:

- (a) Make all Procurements and conduct all activities related to the Procurement Process in accordance with the Procurement Code and any procedures promulgated pursuant hereto;
- (b) Establish and maintain procurement policies and procedures, and standardized documents and forms to implement the Procurement Code;
- (c) Cooperate with the Contracts Compliance Director to coordinate the procurement process with the Minority and Women Owned Business Program established pursuant to Division 8 of this Procurement Code;
- (d) Develop and maintain procedures for disseminating information and notice of procurement opportunities;

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(e) Have authority to implement innovative procurement methods and processes pursuant to this Procurement Code;

(f) Have authority to approve and execute an assignment of or an amendment to a Contract; provided that any such amendment does not extend the Contract by more than one (1) year, and further provided that the total cost of all such amendments does not increase the amount of the Contract beyond the authority of the CPO granted in Section 34-123, or in the case of Contracts approved by the Board, provided that the total cost of all such amendments does not increase the Contract by more than 10%;

(g) Have authority to establish the commencement and expiration dates of any Contract as necessary to permit the Contract period to commence upon the date of Execution of the Contract by the County, unless another commencement date is specified in the Contract;

(h) Within the CPO's authority, approve and execute Contracts;

(i) Ensure that all certifications, statements and affidavits required by this Procurement Code are submitted;

(j) Determine when supplies, materials and equipment are obsolete or unusable, and trade in, sell or dispose of such property, except for such property which is the responsibility of the Cook County Health and Hospitals System;

(k) Compile and maintain information for all Procurements, including those Procurements which do not require Board approval. The CPO shall submit a report to the Board on a quarterly basis listing the of the individual and total aggregate amount of all Procurements that do not require Board approval which do not require Board approval, including a list of each ~~person~~ Person from whom the County makes such a Procurements and the method of Procurement applied. The CPO shall work with the Comptroller to also provide a quarterly report of the individual and total aggregate amount disbursements made for Procurements that do not require Board approval.

(l) Make available on the County's website information related to all Procurements, including but not limited to a list of Contracts and a list of Contractors and subcontractors;

(m) Keep a record of any Person who has been disqualified under Division 4, Disqualification; Penalties, and shall provide such record to the Cook County Health and Hospitals System;

(n) Have authority to terminate a Contract in accordance with its terms;

(o) Issue notices of violation to enforce the provisions of this Code, as applicable, and institute enforcement proceedings under Chapter 2, Article IX, as appropriate; ~~and~~

(p) Work with the Comptroller to assure that Contractors are not paid in advance of performance, unless such advance payment is provided for and properly justified in the Contract; and

(pq) Have charge of such other Procurement activities as may be assigned by the President or the Board.

DIVISION 2. PROCUREMENT PROCEDURES

Sec. 34-135. Procurement methods.

All County Procurements shall be made pursuant to the appropriate procurement method set forth below and described in the applicable Section.

Sec. 34-136.	Competitive Bidding;
Sec. 34-137.	Small Procurements;
Sec. 34-138.	Requests for Qualifications or Proposals;
Sec. 34-139.	Sole Source Procurements;
Sec. 34-140.	Comparable Government Procurement;
Sec. 33-141.	Emergency Procurements;
Sec. 34-142.	Joint Procurements;
Sec. 34-143.	Consortium and Group Procurements.

Sec. 34-136. Competitive bidding.

Procurements of supplies, materials, equipment, and services shall be made by the competitive bidding process as set forth in this Section, unless such Procurements meet the criteria for another procurement method set forth in this division. The CPO shall follow the procedures set forth below for competitive bidding.

(a) *Development and approval of Bid Documents.* The Using Agency shall provide to the CPO all information required by the CPO to prepare the Bid Documents, including minimum qualifications, specifications and any special conditions.

(b) *Bid Notice.* Upon request by a Using Agency, the CPO shall publish a Bid Notice on the County's website at least (5) days before the date for the submission of Bids.

(c) *Pre-Bid conference or site inspection.* The Bid Documents shall include details of any pre-Bid conference or site inspection, including whether any such pre-Bid conference or site inspection is mandatory. The CPO shall keep a record of all Persons who request Bid Documents. The CPO will notify all Persons recorded as having requested Bid Documents of any changes with respect to such conference or inspection no later than at least 24 hours prior to the original scheduled date and no less than two (2) business days prior to any newly scheduled date for such conference or inspection.

(d) *Communications with the County regarding competitive bidding process.* From the time the Bid Notice is issued until the successful Bidder has been recommended to the Board by the CPO, all communications to the County relating to the Bid must be directed in writing (which may be electronic) only to the CPO, or as otherwise specified in the Bid Documents. Upon receipt of such a request, the CPO will determine if a response will be provided. Any such response shall be provided to all Persons requesting the Bid Documents. Notwithstanding the foregoing, communications may be made to the Office of Contract Compliance in writing for the purpose of complying with Division 8, Minority and Women-Owned Business Enterprise Program.

(e) *No changes to Bids.* No Bid may be changed, amended or supplemented in any way after the date and time for submission of Bids.

(f) *Bid opening.* All Bids shall be opened and a record of such Bids shall be made on the date, and at the time and location as stated in the Bid Notice. All Bids shall be opened, and the name of the Bidder and the Bid Price shall be read publicly. If it is determined that an error was made in the public reading of the Bids, the CPO shall notify all Bidders of such error and reconvene the Bid opening to correct the record as soon as reasonably possible. If the Bids are submitted electronically, no public

reading shall be required so long as a record of the Bids opened is publicly available immediately after the Bids are opened.

(g) *If only one Bid is received.* If only one Bid has been submitted, the CPO will determine whether to open the Bid or return the Bid to the Bidder via certified mail and re-issue the Bid Notice or use a different method to make the Procurement. If the Bid was submitted electronically, and is not opened, it shall be deleted from the electronic procurement system.

(h) *Evaluation of Bids.* The CPO shall review, evaluate and tabulate Responsive Bids. In determining the apparent low Bid, the CPO shall consider the Responsibility of the Bidder and all applicable preferences and incentives provided in this Procurement Code. The CPO shall then direct the Bids along with the tabulation to the Using Agency for review. Upon full review of the Bids and Bid tabulations, the Using Agency shall notify the CPO in writing of its Procurement recommendation, with justification supporting such recommendation. The CPO shall review the recommendation of the Using Agency, and shall post on the County's website the CPO's recommended Bid.

(i) *Bid protest.* Any Bidder who reasonably believes that the recommended Bidder is not the lowest Responsive and Responsible Bidder, or has a complaint about the bid process, may submit a bid protest, in writing, and directed to the CPO. Any bid protest must be submitted no later than three (3) business days after the date upon which the CPO posts the recommended Bid. The bid protest must specify why the protester believes the recommended Bidder is not the lowest Responsive and Responsible Bidder, or why the protestor believes the bid procedure was unfair, including a statement of how the alleged unfairness prejudiced the protesting Bidder and the action requested of the CPO. A bid protest based on an issue which could have been clarified through a request for clarification or information pursuant to Section 34-136 (d) *Communications with the County regarding competitive bidding process*, will not be considered if the protesting Bidder failed to make such request. When a bid protest has been submitted, no further action shall be taken on the Procurement until the CPO makes a decision. The CPO shall issue a written decision on the bid protest to the protesting Bidder and to any other Bidder affected by such decision as soon as reasonably practicable. If the bid protest is upheld based on a lack of fairness in the bid procedure, the CPO shall re-bid the Procurement. If the CPO determines that the recommended Bidder was not Responsive and Responsible, that Bidder shall be disqualified and the CPO may either recommend the lowest Responsive and Responsible Bidder or re-bid.

(j) *Board Action.* Upon resolution of any bid protests, or expiration of the three (3) day protest period with no protests, the CPO shall submit the Contract to the Board, through its Finance Committee, for approval and authorization for the CPO to Execute the Contract. Once the Contract has been approved by the Board, the CPO shall post on the CPO's website information regarding the Procurement.

(k) *Right to reject Bids.* The County shall have the right to reject any and all Bids. The CPO is authorized to exercise this right on behalf of the Board. The CPO shall include a provision in the Bid Documents reserving the right to reject any and all Bids.

(l) *Procurements Under ~~\$250,000.00~~150,000.00.* The competitive bidding process for procurements greater than \$5,000.00 and less than ~~\$250,000.00~~150,000.00 may consist of a solicitation posted on the CPO's website. The CPO shall promulgate policies and procedures to implement such Procurements. The CPO is not required to read or announce such Bids publicly. The CPO shall select the lowest Responsive Bid made by a Responsible Person, and shall post on the CPO's website information regarding the Procurement.

Sec. 34-137. Small procurements.

Procurements of the same or similar supplies, goods, equipment or services by a Using Agency in an aggregate amount from the same vendor of less than \$5,000 in the same fiscal year do not require a competitive method. The CPO shall promulgate policies and procedures to implement such Procurements.

Sec. 34-138. Requests for qualifications or proposals.

(a) *Criteria for use of request for qualifications or proposals.* The CPO may determine that it is in the best interest of the County to make a Procurement utilizing the Request for Qualifications or Request for Proposals process. Examples of Procurements for which an RFQ or RFP process is appropriate include but are not limited to: Procurements involving services requiring a high degree of professional skill where the ability or fitness of the Person plays an important part; Procurements where the requirements are not clearly known; Procurements where quality rather than quantity is a primary factor; and Procurements where it is not in the best interest of the County to make price a primary determinative factor. An RFP process is a competitive process under this Procurement Code, and a Person selected through an RFP process is not considered a “sole source.”

(b) *Content of RFQs and RFPs.* The CPO shall determine what provisions RFQs and RFPs should contain. The Using Agency shall provide the CPO with the necessary details, provisions and requirements for the RFQ or RFP. RFQs and RFPs shall include a provision stating that the County may negotiate a Procurement with one or more Respondents or Proposers.

(c) *Issuance.* The CPO shall issue an RFQ or RFP after receiving a written request from the Using Agency. Notice of all RFQ's and RFP's shall be posted on the CPO's website.

(d) *Opening of Responses.* The Responses or Proposals shall be opened in the presence of one or more witnesses after the designated date and time for submission. The names of the Respondents or Proposers shall be available to the public after the Procurement has been completed.

(e) *Evaluation and Selection for Contract Negotiation.* The CPO in coordination with the Using Agency shall develop evaluation criteria which are included in the RFQ or RFP. These criteria may include, but are not limited to experience and qualifications of the Respondent or Proposer, the quality, content and completeness of the Response or Proposal, the demonstrated willingness and ability of the Respondent or Proposer to satisfy the requirements as described in the RFQ or RFP, and, if applicable, the cost proposal. A committee led by the CPO with representatives of the Using Agency and other persons designated by the CPO. Respondents or Proposers shall be accorded fair treatment with regard to evaluation of their Responses or Proposals. Any or all Respondents or Proposers may be requested to make presentations and/or submit clarifications or revisions to their Responses or Proposals for the purpose of obtaining best and final Responses or Proposals. The Using Agency shall document the results of the evaluation. The contents of the Responses or Proposals shall not be disclosed to competing Respondents or Proposers during the evaluation process or any discussions.

(f) *Contract negotiation, approval and Execution.* The Using Agency may send its recommendation to the CPO, setting forth the reasons for such recommendation, which shall be based upon the evaluation criteria. Board approval is not required to negotiate a Contract. After a Contract is negotiated, the CPO shall either execute the Contract, if within the CPO's authority, or forward the Contract to the Board for approval and authorization for the CPO to execute the Contract. Such request shall include the justification for the Contract and the selection of the Contractor.

Sec. 34-139. Sole source procurements.

Procurements of supplies, equipment, goods or services may be made without use of one of the competitive processes if there is either only one source or there is a need for the unique or specialized skill, experience, or ability possessed by a particular source. The Using Agency must submit a letter to the CPO justifying the sole source Procurement, and provide any other documents or information required by the CPO.

Sec. 34-140. Comparable government procurement.

If a governmental agency has awarded a contract through a competitive method for the same or similar supplies, equipment, goods or services as that sought by the County, the Procurement may be made from that vendor at a price or rate at least as favorable as that obtained by that government agency without utilizing a competitive procurement method set forth in this Procurement Code.

Sec. 34-141. Emergency procurements.

The CPO may make Procurements and execute Contracts without use of one of the competitive processes set forth in this Procurement Code and without prior approval of the Board, when such Procurements are necessary (i) due to a threat to public health or safety, (ii) for repairs to County property in order to protect against further loss or damage, (iii) to prevent or minimize serious disruption in County services, (iv) to ensure the integrity of County records, or (v) in the reasonable opinion of the CPO, for the best interests of the County. If practicable under the circumstances, the CPO shall obtain quotations or Proposals from at least three Persons. The CPO shall report the basis for the emergency Procurement and reasons for the selection of the Contractor to the Finance Committee of the Board within five (5) business days of making an emergency Procurement.

Sec. 34-142. Joint procurements.

Procurements may be made pursuant to the Governmental Joint Purchasing Act, 30 ILCS §525.

Sec. 34-143. Consortium and group procurements.

Procurements may be made pursuant to the County's membership or participation in a purchasing consortium, provided that the Board has approved such membership or participation, for, at least in part, the purpose of obtaining advantageous pricing and other efficiencies for the County. Procurements made through a purchasing consortium shall be approved and executed as set forth in this Procurement Code.

Sec. 34-144. Innovative procurement.

(a) The CPO may make a Procurement using innovative methods of procurement, including but not limited to electronic procurement, reverse auctions, electronic bidding, electronic auctions, and pilot procurement programs that have no cost to the County. In order to implement innovative methods of procurement, either directly or through a service provider, the CPO must make a determination that such process is competitive and in the best interest of the County.

(b) As an alternative or in addition to directly conducting procurement using innovative methods, the CPO may make a Procurement of electronic procurement services for conducting reverse auctions, electronic auctions, or provide an on-line or electronic forum for competitive Bids, Requests for Qualifications and Requests for Proposals and other types of innovative methods of procurement on the County's behalf. The Contract for such Procurement may contain such terms as the CPO deems necessary, including, but not limited to, terms that specify the source and amount of the compensation. With respect to Procurements made pursuant to this section, the CPO is authorized to charge a reasonable

service fee to the Contractors from which Procurements are made in order to cover part or all of the County's costs associated with such electronic procurement, including the costs of engaging a service provider. Such service fee shall be paid as directed by the CPO.

(c) The CPO shall have authority to adopt rules and regulations for the proper administration and enforcement of the provisions of this section, including the authority to modify the requirements of this Procurement Code as necessary to implement such innovative or electronic procurement method.

(d) Any document, affidavit, certification or form required by the Procurement Code or submitted in connection with any Procurement may be accepted by the CPO in electronic format subject to compliance with accepted means and methods of verification and authentication of electronic signatures.

DIVISION 3. WAGE REQUIREMENTS

Sec. 34-160. Living Wage.

(a) Unless expressly waived by the Board, any Contract requiring the use of full-time non-County Employees to provide services or labor under the Contract shall include a provision requiring that the Contractor shall pay not less than the Living Wage to such Employees, unless such Employees' Wages are governed by Federal or State law. The Contractor shall require all subcontractors to comply with this Section. This Section shall not apply to Contracts with not-for-profit organizations or Contracts funded by Federal grants or loans.

(b) If a Contractor or any of its subcontractors is found to be in violation of this Section, such Contractor be required to pay back pay to each affected Employee, and may also be fined by the County up to \$100 for each affected Employee for each day paid at less than the Living Wage. Such penalties will not be imposed on any Person except after a hearing pursuant to Chapter 2, Article IX, Administrative Hearings.

(c) If a Contractor or any of its subcontractors is found to have retaliated against an affected Employee, the Contractor may be held to be in breach of the Contract and the Contract may be terminated unless such Contractor or the subcontractor appropriately reinstates or compensates such Employee.

(d) The CPO shall require that any such Contractor certify that it will comply with this Section.

(e) Pursuant to County Code Chapter 2, Article V, Division 3, Subdivision I, Section 2-408, the CFO shall annually determine the Living Wage.

(f) The CPO shall post the current Living Wage on the CPO's website.

(g) Every Contractor and subcontractor required to pay the Living Wage shall notify its Employees of the Living Wage requirement and shall notify all of its Employees annually of any adjustment to the Living Wage. In addition, the Employer shall notify its Employees that if any Employee contends that the Employer is not paying a Living Wage or has otherwise violated this Section, that Employee may file a complaint with the Cook County Commission on Human Rights ("Commission"). If at the conclusion of the Commission's investigation, the Commission finds that the Employer has violated this Section, it shall (1) in the case of an Employer receiving a property tax incentive, notify the Assessor; or (2) in the case of a Contractor or a subcontractor required to pay the Living Wage, notify the CPO, who

shall exercise such remedies as are in the best interest of the County, including ordering the Employer to pay back pay and penalties, as provided in this Section.

Sec. 34-161. Illinois Prevailing Wage.

(a) To the extent required by the Illinois Prevailing Wage Act (820 ILCS 130/0.01 *et seq*) (the "Prevailing Wage Act"), the general prevailing rate of Wages in this locality for laborers, mechanics and other workers engaged in the construction of Public Works coming under the jurisdiction of this County shall be the same as the prevailing rate of Wages for construction work in the Cook County area as determined from time to time by the Department of Labor of the State of Illinois. The definition of any terms used in this Section which are also used in the Prevailing Wage Act shall be the same as in said Act.

(b) Nothing herein contained shall be construed to apply the general prevailing rate of Wages to any work or employment except Public Works of this County and only to the extent required by the Prevailing Wage Act.

(c) The CPO shall include in the Bid Notice for any Public Works Contract, and shall include in the Bid Documents, a requirement that not less than the prevailing rate of Wages as found by the County or the Department of Labor or determined by the court on review shall be paid to all laborers, workers and mechanics performing work under such Public Works Contract.

(d) Prior to awarding any Public Works Contract, the CPO shall ascertain whether the Bidder is debarred pursuant to the Prevailing Wage Act.

Sec. 34-162. Federal Prevailing Wage.

If a Procurement will be paid for using federal funds, and if such federal funding requires compliance with the Davis-Bacon Act (40 U.S.C. 276a-276a-7), then the Contract shall contain provisions requiring that the Contractor and any subcontractors shall pay the federal prevailing Wage.

Sec. 34-163. Prevailing wages for covered services.

(a) Not less than the prevailing rate of Wages shall be paid and prevailing working conditions shall be provided to any laborer, worker and mechanic providing Covered Services under a Contract.

(b) In order to be considered a Responsive Bidder for any Contract for Covered Services, the Bidder shall certify that Wages paid to its employees will be no less, and fringe benefits and working conditions of such employees shall be no less favorable, than those prevailing in the locality in which the Covered Services are to be performed, as determined by the Chief of the Bureau of Human Resources and posted on the website.

(c) The CPO of Cook County shall include in the Bid Notice for any Contract for Covered Services, and shall include in the specifications for any such Contract a provision that (i) not less than the prevailing rate of Wages shall be paid, and prevailing working conditions shall be provided, to all laborers, workers and mechanics performing Covered Services and (ii) all bonds required under such Contract shall include such provisions as will guarantee the faithful performance of such provision in the Contract.

DIVISION 4. DISQUALIFICATION, PENALTIES

Sec. 34-170. Disqualification due to contract default or termination.

(a) If a Person has had a Contract terminated for cause by the County, or if a Person has failed to cure a default within any cure period provided by the Contract, such Person shall be ineligible to enter into a Contract with the County for a period of twenty-four (24) months from the date of termination or notice of default.

(b) When a Contract has been terminated for cause or when an uncured default exists under a Contract, the Contractor may submit a request to the CPO for a reduction or waiver of the ineligibility period. The request shall be in writing and shall include documentation that one or more of the following actions have been taken:

(1) There has been a bona fide change in ownership or Control of the ineligible Person;

(2) Disciplinary action has been taken against the individual(s) responsible for the acts giving rise to the termination or default; or

(3) Remedial action has been taken to prevent a recurrence of the acts giving rise to the termination or default.

The CPO shall review the documentation, make any inquiries deemed necessary, and determines whether a reduction or waiver is appropriate.

(c) A Using Agency may request an exception to such period of ineligibility, by submitting a written request to the CPO, supported by facts that establish that it is in the best interests of the County that the Procurement be made from such ineligible Person. The CPO shall review the documentation, make any inquiries deemed necessary, and determining whether the request should be approved. If an exception is granted, such exception shall apply to that Procurement only and the period of ineligibility shall continue for its full term as to any other Procurements.

Sec. 34-171. Disqualification for County tax or debt delinquency or obligation default.

(a) A Person that is (i) delinquent in the payment of any tax (including real estate tax) or fees administered by the County, (ii) delinquent in the payment of any debt to the County, (iii); is in default of any obligation to the County; or (iv) is a "predatory lender," as determined pursuant to the Cook County Predatory Lending Ordinance, shall be ineligible to enter into a Contract with the County. Notwithstanding the foregoing, a Person shall not be ineligible, nor shall the County exercise any rights to set-off or other remedies set forth in Section 34-196 against a Person, if such Person is contesting liability for the delinquency in a pending administrative or judicial proceeding, or contesting the existence of a default, and shows proof of the contest; or if such Person has entered into an agreement for the payment of such delinquency and verifies compliance with the agreement.

(b) The CPO shall obtain a written certification from every Person from whom the County seeks to make a Procurement that such Person meets the requirements of subsection (a).

(c) The County shall not be prohibited from making a Procurement from, and shall not exercise rights to set-off or other remedies set forth in Section 34-196 against a Person who is contesting liability for the delinquency, in a pending administrative or judicial proceeding, or contesting the existence of a default, and shows proof of the contest; from a Person who has entered into an agreement for the payment of such delinquency and verifies compliance with the agreement.

(d) A Using Agency may request an exception to such ineligibility by submitting a written request to the CPO, supported by facts that establish that it is in the best interests of the County that the Procurement be made from such ineligible Person. The CPO shall review the documentation, make any inquiries deemed necessary, and determine whether the request should be approved.

Sec. 34-172. Disqualification for noncompliance with child support orders.

(a) A Person shall be ineligible to enter into a Contract with the County if such Person or a Substantial Owner (as defined in Article V, Section 34-367) is delinquent in the payment of a Court-Ordered Child Support Arrearage.

(b) If the County becomes aware that a Person or Substantial Owner becomes delinquent in payments under a Court-Ordered Child Support Arrearage after the County has entered into a Contract with such Person or Substantial Owner, then after notice from the County of such noncompliance and a thirty (30) day opportunity to pay such delinquency, such delinquency of such Person or Substantial Owner shall be an event of default under the Contract. Such Person or Substantial Owner shall provide sufficient evidence to the CPO of payment of such delinquency.

Sec. 34-173. Disqualification for illegal activity.

(a) *Disqualifying Acts.* A Person who has been convicted of, entered a plea of *nolo contendere* as to, or made an admission of guilt, pursuant to the laws of any Federal, State or local jurisdiction, for any of the following, shall be ineligible to enter into a Contract for a period of five years from the date of conviction, entry of a plea or admission of guilt:

- (1) Bribing or attempting to bribe;
- (2) Bid-rigging, attempting to rig bids;
- (3) Price fixing or attempting to fix prices; or
- (4) Defrauding or attempting to defraud.

(b) *Disqualification due to acts of owner, partner or shareholder* A Person shall be ineligible to enter into a Contract if an individual who Controls such Person would be disqualified under any provision of this Section 34-173.

Sec. 34-174. Disqualification for willful violation of Cook County Independent Inspector General Ordinance.

A Person found to have willfully failed to cooperate in an investigation by the Cook County Independent Inspector General shall be subject to disqualification as provided in Article II, Section 2-291 of the Code.

Sec. 34-175. Penalty for false statements.

Any Person who knowingly makes a false statement of material fact to Cook County in writing in connection with a Procurement is liable to the County for a penalty of \$500.00, in addition to any other remedy provided for in the Procurement Code or at law or in equity, including termination of any Contract or disqualification. No fine will be imposed on any Person except after any applicable proceeding pursuant to Chapter 2, Article IX, Administrative Hearings.

Sec. 34-176. Penalties for failure to pay Cook County taxes and fees.

The CPO shall include in every Contract a provision that entitles the County to set off and subtract from the Contract price a sum equal to any fines and penalties, including interest, for each tax or fee delinquency and any debt or obligation owed by the Contractor to the County.

Sec. 34-177. Uniform penalties, interest and procedures.

The determination as to whether a Person is disqualified under any provision of this Division 4 or has made a false statement, shall be made pursuant to Chapter 2, Article IX, Administrative Hearings.

DIVISION 5. PROCUREMENT PROCEDURES AND POLICIES FOR CERTAIN PROCUREMENTS

Sec. 34-190. Percentage of work of Public Works projects to be performed by County residents.

For any Public Works Contract having an estimated contract price of \$100,000.00 or more, where not otherwise prohibited by Federal or State law, at least fifty percent (50%) of the total hours worked on the site by employees of the Contractor and subcontractors shall be performed by residents of the County.

Sec. 34-191. Green construction.

For all competitive Bids for Public Works Contracts budgeted for \$2,000,000 or more, the Bid Documents shall comply with the requirements of Chapter 30, Environment, Article IX, Green Construction, Section 30-952, Emission Reduction, and any Contract resulting therefrom shall include all provisions required by Chapter 30, Article IX, Section 30-955.

Sec. 34-192. Predatory lenders.

With each Bid or Response submitted by a financial institution for any Contract, the following certification shall be signed by the chairman of the board, chief executive officer, or other officer of the financial institution acceptable to the Chief Financial Officer:

We pledge that we are not and will not become a predatory lender as defined in Cook County's Predatory Lending Ordinance. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in this Ordinance. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the County.

Sec. 34-193 Contracts for Consulting and Auditing Services.

(a) The County will not enter into any Contract for Auditing Services, nor shall it consent to a subcontract for such Auditing Services, with any Person, if such Person, or any Affiliate of such Person, has a Contract or subcontract for consulting services for or with the County. Additionally, the County will not enter into any Contract for Consulting Services, nor shall it consent to a subcontract for such Consulting Services, with any Person, if such Person, or any Affiliate of such Person, has a Contract or subcontract for Auditing Services for or with the County. For purposes of this provision, "County" shall refer only to offices which are administered by the President of the County Board and shall not refer to offices which are administered by Elected Officials.

(b) The County shall not enter into any Contract for Consulting Services on behalf of an

Elected Official, nor shall it consent to a subcontract for such Consulting Services on behalf of an Elected Official, with any Person, if such Person, or any Affiliate of such Person, has a Contract or subcontract to provide Auditing Services for the Elected Official.

(c) The CPO shall require the Contractor in each Contract for Auditing or Consulting Services for the County (as defined in this section) to provide a certification acceptable to the CPO that neither the Contractor nor any Affiliate of the Contractor has a Contract or a subcontract to provide Consulting or Auditing Services for the County which is prohibited under Subsection (a) of this section. In addition, the CPO shall require the Contractor in each Contract to provide Consulting Services for an Elected Official to provide a certification acceptable to the CPO that neither the Contractor nor any Affiliate of the Contractor has a Contract or a subcontract to provide Auditing Services for the Elected Official which is prohibited under Subsection (b) of this section.

Subdivision I. – Selection of Professional Services for Debt Transactions

Sec. 34-200. Definitions.

The following words, terms and phrases, when used in this subdivision shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Co-managers means underwriting firms responsible for participating in the underwriting and the marketing of bonds issued by the County.

Senior managers means underwriting firms responsible for assisting with the development of the financial plan and managing the underwriting and the marketing of the bonds.

Sec. 34-201. Competitive process for legal counsel and finance teams for debt transactions.

(a) The Chief Financial Officer may request that the CPO issue an RFQ at least once every three years for selection of legal counsel and finance professionals required for debt transactions.

(b) The RFQ for legal counsel shall request at least the following information: descriptive information about each firm, the experience of the attorneys within the firm having expertise in the areas of municipal finance law or Federal tax law pertaining to tax-exempt bonds; the manner in and degree to which the firm operates or is otherwise present in the County or State; the manner in and degree to which the firm is owned by minority or female attorneys; the manner in and degree to which the firm employs minority or female attorneys and promotes or incubates the participation of minority or female attorneys in public finance initiatives; the firm's written policies regarding sexual harassment; and other special areas of expertise or strength. A "qualified" list shall be developed by the Chief Financial Officer for each type of financing.

(c) The RFQ for underwriters and other professionals shall request at least the following information, as applicable:

- (1) Experience and expertise in structuring and marketing bonds and notes, detailing experience with various types of issuances, including general obligation bonds, revenue bonds and tax anticipation notes, and including examples of similar financings on which the firm has been senior manager or co-manager.
- (2) Financial strength of the firm, particularly its capital allocated to underwriting governmental bonds.

- (3) Degree of corporate investment or "presence" in the County and State, including the location of corporate offices, brokerage offices, or back-office operations.
- (4) The manner in and degree to which the firm is owned by minorities or females; manner and degree to which the firm employs minority or female finance professionals; the manner in and degree to which the firm promotes or incubates the participation of minority or female finance professionals in public finance initiatives; and the firm's written policies regarding sexual harassment.
- (5) Other special areas of expertise or strength.

(d) A "qualified" list of underwriters and other professionals shall be developed by the Chief Financial Officer for each type of financing.

Sec. 34-202. Selection.

(a) For each debt transaction or for multiple debt transactions the Chief Financial Officer shall select three or more firms from the qualified list for each of the following, as required for the transaction: bond counsel, co-bond counsel, underwriter and co-underwriter counsel, special tax counsel, senior manager and co-manager and financial advisor. The Chief Financial Officer shall request that each of the firms under consideration submit a Proposal which shall include at least the following, as applicable: experience with the particular type of financing; a recommended strategy for identifying and targeting Procurers of the bonds experience with tax issues; knowledge of the County; the key personnel to be assigned for the engagement, including their qualifications and experience; the proposed fees for the engagement; and the proportion of minority or female ownership of the firm and the manner in and degree to which female and minority professionals will provide services in connection with the transaction.

(b) The Chief Financial Officer shall recommend to the President the selection of ~~bond~~ counsel, professionals and underwriters based upon the Proposals. In making the recommendation the Chief Financial Officer shall consider a rotation to give each firm a fair opportunity to participate in County bond sales. The selection shall be made by the President, upon the recommendation of the Chief Financial Officer, and shall be submitted to the County Board for approval. The President shall report to the County Board the reasons for selection of the firm assigned the work. The Proposals shall be available for review by members of the County Board. The President shall report to the County Board the reasons for making the selections.

Sec. 34-203. Specific bond underwriter requirements.

Each Contract between the County and any bond underwriters shall include the following:

- (1) The underwriter shall use its best efforts to assure that the County meets its objectives in the fair and reasonable allocation of bond selling commissions to members of the underwriting syndicate, particularly to Cook County and minority- and women-owned firms;
- (2) The underwriter shall report the allocation of bond selling commissions and fees received by each member of the underwriting syndicate to the Chief Financial Officer within 30 days of closing of the bond issue; and

- (3) The underwriter shall comply with all limitations or disclosure requirements concerning political contributions that are or may be imposed by the Municipal Securities Regulatory Board or the Securities and Exchange Commission. Failure by the underwriter to comply with this provision shall not void the sale, but the underwriter may be subject to disqualification as set forth in Division 5.

Subdivision II. Recycled Products.

Sec. 34-215. Purpose.

This subdivision shall be known as the "Cook County Recycled Product Procurement Policy." Its purpose is to promote market development of recycled products, recyclable products, and equipment capable of using such materials by establishing preferential purchasing programs applicable to all Using Agencies and Contractors, thereby diverting materials from the solid waste stream.

Sec. 34-216. Policies.

(a) All Using Agencies shall whenever practicable use recycled products, recyclable products and reusable products to meet their demands.

(b) Using Agencies and the CPO shall, whenever practicable, specify in the Contract Documents the use of recycled products and recyclable products.

(c) In procuring designated products pursuant to this division, the CPO shall require recovered material and/or post-consumer material content to be factors in determining the lowest Responsive Bid in any competitive bidding procurement process.

Sec. 34-217. Definitions.

The following words, terms and phrases, when used in this division shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Chlorine-free paper or *paper products* means recycled paper in which the virgin content is unbleached or bleached without chlorine or chlorine derivatives, or virgin paper which is unbleached or processed with a sequence that includes no chlorine or chlorine derivatives.

Designated products means all products that have been or may be identified pursuant to Section 34-218 as products that can be procured with significant levels of recovered materials.

Minimum content standards means standards set by the County Board, or in its absence, standards or guidelines currently promulgated by the United States Environmental Protection Agency, specifying the minimum level of recovered materials and/or post-consumer material necessary for designated products to qualify as recycled products.

Paper and *paper products* means all items manufactured from paper or paperboard.

Post-consumer material means only those products generated by a business or consumer which have served their intended end uses, and which have been separated or diverted from the solid waste stream for the purposes of collection, recycling, and disposition.

Post-consumer paper material means paper, paperboard, and fibrous waste including corrugated boxes, newspapers, magazines, mixed waste paper, tabulating cards and used cordage after the point at which they have passed through their end use as consumer items.

Practicable means:

- (1) Able to perform in accordance with applicable specifications;
- (2) Offered as the low Bid under the procedures in Section 34-219(b), herein;
- (3) Available within a reasonable period of time; and
- (4) Maintaining a satisfactory level of competition.

Recovered material means material and byproducts which have been recovered or diverted from solid waste, but does not include those materials and byproducts generated from, and commonly reused within, an original manufacturing process (such as mill broke or home scrap).

Recovered paper material means paper waste generated after the completion of a paper making process, such as post-consumer material, envelope cuttings, bindery trimmings, printing waste, cutting and other converting waste, butt rolls, and mill wrappers, obsolete inventories, and rejected unused stock. Recovered paper material, however, shall not include fibrous waste generated during the manufacturing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), or fibrous byproducts of harvesting, extractive or woodcutting processes, or forest residue such as bark.

Recyclable means that the product is technically capable of being recycled, and that economic markets for collecting and recycling the product exist within a reasonable distance, including steel and plastic.

Recycle or *recycling* means any process by which materials that would otherwise become municipal waste are collected, separated or processed and returned to the economic mainstream in the form of new, reused or reconstituted products, but does not include the recovery of materials for fuel in combustion or energy production processes. For lubricating oil, the term recycling is to be synonymous with re-refining. For toner cartridges, the term recycling is to be synonymous with re-manufacture.

Recycled designated product means a product designated in or pursuant to Section 34-218 that meets or surpasses the County's minimum content standards, and all other criteria for qualification as specified in this division.

Reusable product means a product that can be used several times for an intended end use before being discarded, such as a washable food or beverage container or a refillable ball point pen.

Sec. 34-218. Designated products and recycled designated products.

For all purposes of this subdivision, the products listed in this section or added pursuant to it are designated as products that can be readily procured with significant levels of recovered materials. Designated products shall qualify as recycled designated products if they meet minimum content standards established in this subdivision. Designated products shall include:

- (1) Paper and paper products.

- (2) Compost products.
- (3) Horticultural mulch made with recycled land clearing and other wood debris.
- (4) Construction aggregates made with recycled cement concrete, tire rubber, glass or asphalt.
- (5) Cement and asphalt concrete containing glass cullet, recycled fiber or plastic, or tire rubber.
- (6) Antifreeze.
- (7) Recycled plastic products, including lumber shapes, refuse carts, traffic cones, insulation, receptacle liners and recycling bins, traffic barriers and office products.
- (8) Retreaded tires and products made from recycled tire rubber, including rubber mats and playfield surfaces.
- (9) Toner cartridges for computer printers.
- (10) Lubricating oil and hydraulic oil with re-refined oil content.
- (11) Insulation products.
- (12) Paint.
- (13) Wood products containing 50 percent or more reused or deconstructed wood.
- (14) Carpeting made from recycled fibers.
- (15) Office furniture.
- (16) All steel products.
- (17) Other products as designated by the CPO.

Sec. 34-219. Requirements for procurements.

(a) Bid Notices and requests for Quotations for the procurement of tangible supplies, equipment, or goods shall contain no terms, requirements or specifications prohibiting or discouraging post-consumer or recovered material content, unless a Using Agency provides the CPO with satisfactory evidence that, for technical reasons and for a particular end use, a product containing such materials will not meet reasonable performance standards.

(b) In determining the lowest Responsive and Responsible Bid for the Procurement of designated products, the CPO shall use the procedures and evaluation criteria specified in this subdivision. If the lowest price offered for a recycled designated product is not more than the specified percentage higher than the lowest offered price for that same designated product that is not recycled, the offered price for the recycled designated product shall be considered the low Bid if such Bidder is otherwise Responsive and Responsible. The specified percentage will not be less than ten percent.

However, nothing contained in this division shall preclude Using Agencies from requiring post-consumer or recovered material content as a bid specification.

(c) Each Contractor supplying the County with recycled designated products shall provide acceptable certification from all product manufacturers that the products being supplied meet or surpass County minimum content standards, and shall agree to reasonable verification procedures specified by the CPO.

(d) Bid Notices for designated products, whether recycled or not, shall require the successful Bidder to provide quarterly summaries of the quantities Procured by Using Agencies, unless the CPO determines that this requirement would significantly reduce the number of Bids received by Cook County.

(e) The County shall not Procure any item whose original manufacturer places restrictions on the remanufacturing of such item by other businesses.

Sec. 34-220. Procurement of paper and printing services.

(a) The County recycled paper procurement goal for Using Agencies (expressed as percentage of the total volume of paper Procured) shall be 60 percent. Each department shall be responsible for making its best effort to meet or surpass these goals.

(b) All paper Procured by the County shall be recycled paper, and all printed materials Procured by the County shall be on recycled paper, containing at least 30 percent post-consumer content, unless use of such recycled paper is not practicable. For all other paper products, the CPO shall adopt minimum content standards for recycled paper products which shall, at minimum, be consistent with standards presently promulgated by the United States Environmental Protection Agency.

(c) Printing services provided by the County or Procured by the County from an outside vendor shall utilize soy or other vegetable-based inks. If lithographic ink is used in printing performed by the County or in printing services Procured by the County from an outside vendor, the ink shall contain not less than the following percentages of vegetable oil:

- (1) News ink, 40 percent;
- (2) Sheet-fed and forms ink, 20 percent;
- (3) Heat-set ink, ten percent.

High quality color process printing on high speed heat-set presses is excepted when slow drying time significantly increases production costs.

(d) Departments shall publicize the County's use of recycled paper by printing the words "Printed on Recycled Paper" on all letterhead paper and on the title page of all reports printed on recycled paper.

(e) To reduce the volume of paper Procured, departments shall use both sides of paper sheets whenever practicable. If possible, copies shall be made by photo-copying from one computer-generated original, such that two-sided copies can be produced, rather than printing multiple one-sided originals.

(f) The CPO may enter into joint purchasing with other local and State agencies to reduce the cost of recycled paper product Procurements.

(g) All Bids for new equipment and services shall include language that will encourage the use of recycled paper and paper products, wherever practicable.

(h) Contracts shall contain provisions requiring all reports submitted by the Contractor shall use recycled paper, except where the specialized nature of certain materials (such as photographs) requires otherwise, and shall be printed two-sided unless two-sided printing is not practicable.

Sec. 34-221. Responsibilities and reporting requirements—CPO.

The CPO is responsible for:

- (1) Revising or amending standard Bid Documents and contract language where necessary to implement this division.
- (2) Working with Using Agencies and the Department of Environmental Control, adopt and update minimum content standards or other specifications for designated recycled products.

Sec. 34-222. Exemptions.

Nothing in this division shall be construed as requiring a department or contractor to procure products that do not perform adequately for their intended end use or are not available at a reasonable price in a reasonable period of time.

DIVISION 6. BID INCENTIVES AND PREFERENCES

Sec. 34-230. Local business preference.

The CPO shall recommend award of the Procurement to the lowest Responsible and Responsive Bidder which is a Local Business, so long as the Bid of such Bidder does not exceed the Bid of the lowest Responsive and Responsible Bidder by more than 2%.

Sec. 34-231. Re-Entry Employment Bid Incentive Established; purpose.

There is hereby established the Cook County Re-entry Employment Bid Incentive Ordinance, with the goal of working in conjunction with the Cook County Re-entry Employment Project to assist adults who are residents of the County and who are former offenders, in finding employment opportunities. This Ordinance is intended to increase public safety and reduce recidivism. For all Public Works Contracts with an estimated Bid Price of \$100,000.00 or more, advertised after the effective date of this Ordinance, the CPO shall include the Bid Incentive provision in all such advertisements.

Sec. 34-232. Definitions.

For purposes of this division only, the following definitions apply:

Committee means Cook County Re-entry Employment Committee.

Earned Credit means the amount allocated to a Contractor upon completion of a Qualifying Contract through which the Contractor met or exceeded the goals for the utilization of Former Offenders.

Former Offenders means adults who are residents of the County and who have been convicted of a crime.

Labor hours means the total hours of workers receiving an hourly Wage who are directly employed at the work site. "Labor hours" shall include hours performed by workers employed by the contractor and all subcontractors working at the work site. "Labor hours" shall not include hours worked by nonworking foremen, superintendents, owners and workers who are not subject to prevailing Wage requirements.

Qualifying Contract means a Contract for Public Works with a Bid Price in excess of \$100,000, for which the Contractor is eligible for Earned Credits.

Sec. 34-233. Re-entry employment committee.

- (a) The Committee will consist of:
 - (1) A representative of the Cook County Bureau of Human Resources;
 - (2) A representative of the President's Office of Employment Training;
 - (3) A representative of the Office of Contract Compliance;
 - (4) A representative of a nonprofit organization whose mission is to reintegrate former Offenders into society;
 - (5) Two representatives appointed by the President, one of whom shall be a representative of organized labor, and one of whom shall be a Commissioner.
- (b) The Committee shall work with appropriate organizations to identify Former Offenders for participation in this program.

Sec. 34-234. Employment plan.

A Contractor may qualify for Earned Credits by utilizing Former Offenders for work under a Qualifying Contract. In order to so qualify, a Bidder must include in its Bid for such Qualifying Contract an employment plan for Former Offenders by Contractor or any subcontractors. Bidders may request from the Committee a list of candidates. If the Bidder or any subcontractor employs Former Offenders or identifies potential candidates on its own, such candidates may be submitted to the Committee to determine if they are Former Offenders, as defined in this division.

Sec. 34-235. Earned credits.

- (a) Upon the completion of a Qualifying Contract, a Contractor may apply to the CPO for Earned Credits, on such forms and including such information as required by the CPO. If the Contractor met or exceeded the Former Offender employment goals established in the Qualifying Contract. If the CPO determines that the Contractor has successfully met or exceeded its employment plan in the Qualifying Contract, the CPO shall issue an Earned Credit Certificate that evidences the amount of Earned Credits calculated as set forth below. The Contractor may utilize the Earned Credits as set forth in this division in a future Bid for a Contract for Public Works of equal or greater value as the Qualifying Contract, by including a copy of the Earned Credit Certificate with its Bid.

(b) For any Qualifying Contract, the CPO shall determine the Earned Credits, as follows. And issue an Earned Credit Certificate, which shall be valid for three years from the date of issuance.

<i>Percentage of Total Labor Hours Performed by Former Offenders</i>	<i>Earned Credit</i>
5—10 %	1/2 % of Bid price
Over 10%	1 % of Bid price

(c) For purposes of calculating the lowest Responsive and Responsible Bidder only, the CPO shall deduct from the Bid Price the amount of Earned Credit set forth on the Earned Credit Certificate submitted by a Bidder. If the Bidder is awarded the Contract, such Earned Credit Certificate may not be used again in a future Bid.

Sec. 34-236. Contractor's records.

A Contractor shall retain all records supporting any Certificate of Earned Credits issued to such Contractor for a period of at least three years after issuance of such Certificate. A Contractor shall impose this requirement by contract with any subcontractors included in the employment plan. The Office of the CPO shall have access to the Contractor's and such subcontractors' records.

Sec. 34-237. Veterans Preference, definitions.

It is the policy of the County to provide an incentive for Contractors for Public Works Contracts when such Contractors utilize veterans for at least five percent (5%) of the hours worked under such Contract, as hereinafter set forth. For purposes of this Division, "*Eligible Veterans*" shall mean persons (a) who have been either members of the armed forces of the United States or while citizens of the United States, have been members of the armed forces of allies of the United States, (b) were members of such armed forces in time of hostilities occurring after September 11, 2001 , and (c) have served (i) a total of at least six months; or (ii) for the duration of hostilities regardless of the length of engagement; or (iii) in the theater of operations for less than six months but was discharged on the basis of a hardship; or the veteran was released from active duty because of a service-connected disability and was honorably discharged. The preference provided for in this Section will be 1%. The CPO shall develop procedures for implementation of this Section. This Section shall take effect six months after the date of adoption.

Sec. 34-238. Qualified Veteran-Owned Business incentive.

(a) *Qualified Veteran-Owned Business* means a business entity that is 51 percent or more owned by one or more Eligible Veterans as defined in Section 34-237.

(b) The CPO shall give a preference of five percent of the amount of the Contract to a Responsible and Responsive Qualified Veteran-Owned Business. The CPO shall develop procedures for implementation of this Section 34-238(b). This section shall take effect six months after adoption.

(c) It is the goal of the County to award each year not less than five percent of its total expenditures for supplies, materials, equipment and services to Qualified Veteran-Owned Businesses. The Contract Compliance Director may count toward its five percent yearly goal that portion of all Contracts in which the Contractor subcontracts with a Qualified Veteran-Owned Business. Each year, the CCD shall report to the County Board on all of the following for the immediately preceding 12-month period:

- (1) The number of Qualified Veteran-Owned Businesses who submitted a Bid.
- (2) The number of Qualified Veteran-Owned Businesses who entered into Contracts and the total value of those Contracts.
- (3) Whether the County achieved the goal described in this subsection.
- (4) Each year, the CCD shall review the five percent goal with input from countywide veterans' service organizations and from the business community including Qualified Veteran-Owned Businesses, and shall make recommendations to the County Board regarding continuation, increases, or decreases in the percentage goal. The recommendations shall be based upon the number of Qualified Veteran-Owned Business and on the continued need to encourage and promote businesses owned by qualified veterans.
- (5) The provisions of this Division 6, Section 34-238(c) shall be effective as of July 1, 2013. The Contract Compliance Director shall by such date develop procedures for determining the availability of eligible veteran-owned businesses and shall report back to the County Board on the appropriateness of the five percent goal, based on such availability.

Sec. 34-239. Qualified service-disabled veteran businesses incentive.

- (a) *Definitions.* For the purposes of this section the following terms are defined below:

Service-Disabled Veteran means an Eligible Veteran who became disabled in the line of duty while serving the United States Armed Forces, and who received an other than dishonorable discharge;

Service-Disabled Veteran Business means a Small Business (as defined in Division 8):

- (1) Not less than 51 percent of which is owned by one or more Service-Disabled Veterans; and
- (2) The management and daily business operations of which are controlled by one or more Service-Disabled Veterans or, in the case of an Eligible Veteran with permanent and severe disability, the spouse of such veteran.

(b) In addition to the goals established pursuant to Section 34-238, it is the goal of the County to award each year not less than three percent of its total expenditures for supplies, materials, equipment and services to qualified Service-Disabled Veteran-owned Businesses.

(c) The CPO will make best efforts to recruit and solicit bids and make procurements from qualified Service-Disabled Veteran-owned Businesses.

(d) The above-stated goal shall not be treated as a quota nor shall it be used to discriminate against any person or business enterprise on the basis of race, color, national origin, religion or sex.

(e) The provisions of this Division 6, Section 34-239 shall be effective as of July 1, 2013. The Contract Compliance Director shall by such date develop procedures for determining the availability of Service-Disabled Veteran-owned businesses and shall report back to the County Board on the appropriateness of the three percent goal, based on such availability.

DIVISION 7. INTEGRITY IN THE PROCUREMENT PROCESS

Sec. 34-250. Reporting irregularities.

The Board encourages any Person, including employees, to report any suspected or known irregularities in the County's procurement process to the County Compliance Officer of the Office of the Cook County Inspector General. In addition to any applicable laws protecting whistleblowers, the County shall ensure that a report made in good faith will not result in any adverse action taken by the Board or the County against the Person making such a report. The CPO's procedures will include a mechanism to publish this provision to all appropriate Persons.

Sec. 34-251. Communications.

For all Procurements, the CPO shall establish procedures to ensure that communications from individuals outside the County regarding a Procurement shall be memorialized and maintained in the procurement file. Communications about a Procurement from or on behalf of an Elected Official or a Using Agency shall also be memorialized and maintained in the Procurement file.

DIVISION 8. MINORITY AND WOMAN-OWNED BUSINESS ENTERPRISES

Subdivision I. General Provisions

Sec. 34-260. Short title.

This subdivision shall be known and may be cited as the Cook County Minority- and Women-Owned Business Enterprise General Ordinance. This subdivision is applicable to all Contracts, including Public Works Contracts other than as modified pursuant to subdivision 2 of this Division 8.

Sec. 34-261. Findings.

(a) The County has heretofore adopted a Minority Business Enterprise Ordinance to ensure that minority and women's businesses are provided full and equal opportunity to participate in Contracts.

(b) The Supreme Court of the United States in *City of Richmond v. Croson*, 488 U.S. 469 (1989), has enunciated certain standards which are necessary to maintain effective affirmative action programs in compliance with constitutional requirements.

(c) The County is committed to implementing its affirmative action program in conformance with the United States Supreme Court's decision in *City of Richmond v. Croson*.

(d) In furtherance of this commitment, and at the direction of the Board, County staff and consultants conducted an investigation into the scope of any discrimination in County Procurements, and in the award of and participation in contracts in the metropolitan Chicago economy, the extent to which such discrimination or the effects thereof has denied and continues to deny minority and women's business enterprises equal opportunity to participate in Procurements and to recommend the appropriate affirmative action steps to be taken to eliminate any such discrimination and its continuing effects.

(e) Minority and women's businesses continue to be awarded prime contracts and subcontracts in dollar amounts that are disproportionately lower than the availability of such businesses willing and able to perform Contracts.

(f) The County's procurement practices in the past have contributed to the above identified underutilization of minority and women's businesses on Contracts.

(g) Minority and women's businesses continue to be disadvantaged by discriminatory practices in the local construction industry and economy when competing for Contracts and in seeking subcontracting opportunities on such Contracts.

(h) The County was a passive participant in the discriminatory practices of businesses which discriminate against minority and women's businesses by entering into contracts with such businesses.

(i) Despite its good faith efforts and implementation of previous affirmative action programs, minority and women's businesses remain at a competitive disadvantage in competing for Contracts and subcontracts.

(j) Race and gender neutral measures or affirmative action programs without numerical goals have not and are not likely to eliminate the competitive disadvantage of minority and women's businesses in participating in Contracts due to discrimination in the local economy.

(k) The numerical goals for the participation of minority and women's businesses in Contracts are commensurate with the availability of minority and women's businesses willing and able to perform County work.

Sec. 34-262. Policy and purpose.

Based on the foregoing findings, the policy and purpose of this division are as follows:

(a) It is the public policy of the County to strive to achieve the full and equitable participation of minority and female owned businesses in the County's procurement process as both prime and subcontractors.

(b) The County is committed to a policy of preventing discrimination in making Procurements, and eliminating arbitrary barriers to participation in Procurements by all persons, regardless of race, sex, or ethnicity.

(c) The purpose of this division is to establish and implement goals for participation of PCEs in Procurements, in compliance with all applicable laws.

Sec. 34-263. Definitions.

The following words, terms and phrases, when used in this division, including both subdivision I and subdivision II, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Capitalized terms not defined in this section are defined in Division 1 of this Procurement Code, or in Section 1-3 of the County Code. Additional terms applicable to subdivision II are set forth in such subdivision.

Broker means a Person who or which neither manufactures the supplies, equipment or goods supplied or owns or operates a store, warehouse or other establishment (and related distribution equipment) in which it maintains, consistent with industry standards, an inventory of the supplies, equipment or goods, materials or supplies required for performance of the Contract for sale in the normal course of business.

Certified or Certification means registration of the Minority Business Enterprises or Women's Business Enterprise status of a business in the County's Directory of Minority Business Enterprises, Women's Business Enterprises and Disadvantaged Business Enterprises ("PCE Directory").

Commercially Useful Function shall have the meaning set forth in subsection 34-383.

Contract means, for purposes of this Division 8, any Procurement or Contract in an amount exceeding \$25,000.00.

Contract Specific Goals means the goals established under Section 34-267 for a particular Public Works Contract, based upon the availability of MBEs or WBEs in the scopes of work of the Project.

County Marketplace means the Metropolitan Statistical Area for Chicago, as established by the Bureau of the Census, currently the counties of Cook, DuPage, Kane, Lake, Kendall and Will.

Economically Disadvantaged means an individual with a Personal Net Worth less than \$2,000,000 indexed annually for the Chicago Metro Area Consumer Price Index, published by the U.S. Department of Labor, Bureau of Labor Standards, beginning January 2011.

Expertise means demonstrated skills, knowledge or ability to perform, as defined by normal industry practices, including licensure where required, in a field.

Good Faith Efforts shall have the meaning set forth in Section 34-271.

Joint Venture means an association formed by two or more Persons to carry out a single business enterprise, for which purpose they combine their expertise, property, capital, efforts, and skills.

Manufacturer means a Person that operates or maintains a factory or establishment that produces, on the premises, the materials, supplies, articles, or equipment required for a Procurement and of the general character described by the specifications.

Minority Business Enterprise or MBE mean a Small Business, including a sole proprietorship, partnership, corporation, limited liability company, Joint Venture or any other business or professional entity:

- (1) Which is at least 51 percent owned by one or more Minority Individuals, or in the case of a publicly owned business, at least 51 percent of all classes of the stock of which is owned by one or more Minority Individuals;
- (2) Whose management, policies, major decisions and daily business operations are independently managed and Controlled by one or more such more Minority Individuals; and
- (3) Which has its principal place of business and a majority of its regular, full time workforce located within the County's Marketplace.

Minority Individual means an individual in one of the following groups:

- (1) African-Americans or Blacks, which includes persons having origins in any of the Black racial groups of Africa;

- (2) Hispanic-Americans, which includes persons of Mexican, Puerto Rican, Cuban, Caribbean, Dominican, Central or South American, regardless of race;
- (3) Native-Americans, which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians; or
- (4) Asian-Americans (persons whose origins are in any of the original peoples of the Far East, Southeast Asia, the islands of the Pacific or the Northern Marianas, or the Indian Subcontinent); or
- (5) Other groups, including but not limited to Arab-Americans, found by the County to be socially disadvantaged by having suffered racial or ethnic prejudice or cultural bias within American society, without regard to individual qualities, resulting in decreased opportunities to compete in the County's Marketplace.

Owned means having all the customary incidents of ownership, including the right of disposition, and the sharing in all risks and profits commensurate with the degree of ownership interest.

Personal Net Worth means the net value of the assets of an individual after total liabilities are deducted. An individual's personal net worth does not include the individual's ownership interest in an applicant or other Certified MBE or WBE, provided that the other Person is certified by a governmental agency that meets the County's eligibility criteria or the individual's equity in his or her primary place or residence. As to assets held jointly with a spouse, an individual's Personal Net Worth includes only that individual's share of such assets. An individual's Personal Net Worth also includes the present value of the individual's interest in any vested pension plans, individual retirement accounts, or other retirement savings or investment programs less the tax and interest penalties that would be imposed if the asset were distributed at the present time.

Program means the Minority and Women Owned Businesses Enterprise Program established in this division, and shall include the Public Works Participation Program

Program Goals means the goals set forth in Section 34-267.

Protected Class Enterprise or *PCE* shall mean those Persons qualifying under the definitions of *Minority Business Enterprise* and *Women's Business Enterprise* contained in this section.

Public Works Participation Program means the program established pursuant subdivision II.

Regular Dealer means a Person that owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character required for the Procurement are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. To be a Regular Dealer, the Person must be an established business that engages, as its principal business and under its own name, in the Procurement and sale or lease of the products in question. A Person may be a Regular Dealer in such bulk items as petroleum products, steel, cement, gravel, stone, or asphalt without owning, operating, or maintaining a place of business if the Person both owns and operates distribution equipment for the products. Any supplementing of such Person's distribution equipment shall be by a long-term lease agreement and not on an ad hoc or contract-by-contract basis. Packagers, manufacturer representatives, or other Persons who arrange or expedite transactions are not Regular Dealers.

Small Business means a small business as defined by the U.S. Small Business Administration, pursuant to the business size standards found in 13 CFR Part 121, relevant to the scope(s) of work the Person seeks to perform on Contracts. A Person is not an eligible small business enterprise in any calendar fiscal year in which its gross receipts, averaged over the Person's previous five fiscal years, exceed the size standards of 13 CFR Part 121.

Socially Disadvantaged means an individual who has been subjected to racial, ethnic or gender prejudice or cultural bias within American society because of his or her identity as a member of a group and without regard to individual qualities. Social disadvantage must stem from circumstances beyond the individual's control. A Socially Disadvantaged individual must be a citizen or lawfully admitted permanent resident of the United States.

Utilization Plan means a plan for utilization of PCEs described in Section 34-383.

Woman means a person of the female gender.

Woman-Owned Business Enterprise or *WBE* means a Local Small Business, including a sole proprietorship, partnership, corporation, limited liability company, Joint Venture or any other business or professional entity:

- (1) Which is at least 51 percent Owned by one or more Women, or in the case of a publicly owned business, at least 51 percent of all classes of the stock of which is Owned by one or more Women;
- (2) Whose management, policies, major decisions and daily business operations are independently managed and Controlled by one or more such Women; and
- (3) Which has its principal place of business and a majority of its regular, full time work force located within the County's Marketplace.

Sec. 34-264. Race- and gender-neutral measures to implement the Program.

The County shall use measures such as the following in implementing the Program.

- (a) Establishing schedules for submitting Bids and Quotations with adequate time frames for identifying and contacting PCEs qualified to participate in the Procurement;
- (b) Segmenting Procurements to facilitate the participation of MBEs, WBEs and other Small Businesses;
- (c) Providing timely information on contracting procedures, Bid preparation and specific contracting opportunities;
- (d) Holding pre-Bid conferences, where appropriate, to explain the projects and to encourage Contractors to use available qualified PCEs.
- (e) Reviewing retainage, bonding and insurance requirements to eliminate unnecessary barriers to contracting with the County;
- (f) Collecting information from all Contractors detailing the Bids or proposals received from all subcontractors for Procurements and the expenditures to PCEs;

(g) At the discretion of the CCD, in cooperation with the CPO, periodically entering into a procurement process without Program Goals or Project Specific Goals in order to determine MBE and WBE utilization in the absence of such goals;

(h) Referring complaints of discrimination to Cook County's Commission on Human Rights, or other appropriate authority, for investigation.

Sec. 34-265. Program administration.

(a) The Office of Contract Compliance, under the direction of the CCD, who shall report to the President, shall administer the Program. The duties of the CCD shall include:

- (1) Formulating, proposing and implementing rules and regulations for the development, implementation and monitoring of the Program.
- (2) Providing information and assistance to PCE's and Small Businesses relating to the Program, and .serve as a liaison to community, contractor, professional and supplier groups, and associations and organizations.
- (3) Establishing uniform procedures and criteria for certifying, recertifying and decertifying Persons as PCEs, accepting certifications by other agencies, and maintaining a directory of Certified PCEs.
- (4) Establishing Contract Specific Goals based upon the availability of PCEs to provide the supplies, materials and equipment or services required by the Contract;
- (5) Monitoring Contracts to evaluate compliance with Contract Specific Goals and commitments.
- (6) Cooperating with and providing assistance to Using Agencies to facilitate participation by PCEs in Procurements.
- (7) Reviewing, approving or rejecting Utilization Plans for achievement of Contract Specific Goals, and evaluate the extent to which goals were achieved.
- (8) Monitor contracts to ensure compliance with Section 34-388, Prompt Payment of PCEs.
- (9) Receiving, reviewing, and acting upon complaints and suggestions concerning the Program.
- (10) Evaluate the effectiveness and utility of the Program.
- (11) Monitoring the Program and the County's progress towards the Program Goals. The CCD shall report on a quarterly and annual basis to the President on the Program.
- (12) The CCD shall report to the CCC, at its request, information regarding the administration of the Program and its progress toward achieving the Program Goals.

(b) Using Agencies shall cooperate with the CCD in the administration of the Program, specifically including assisting the CCD with setting Contract Specific Goals and assisting in the identification of available MBEs and WBEs.

Sec. 34-266. Contract Compliance Committee.

The Contract Compliance Committee ("CCC") shall be a Standing Committee of the Board, consisting of seven members of the Board selected as set forth in Chapter 2, Article III, Section 2-105 of the Code. The CCC shall review procedures, proposed modifications to the Program or this division 8, and complaints as referred by the CCD or the CPO.

Sec. 34-267. Program goals.

(a) The County aspires to the following annual Program Goals: A goal of twenty-five percent (25%) of the annual total dollar amount of Contracts other than Public Works Contracts to MBEs, and ten percent (10%) of the total dollar amount of such Contracts to WBEs.

(b) The CCD, in consultation with the CPO and the Using Agency shall establish Contract Specific Goals for each Contract. In establishing a Contract Specific Goal, the CCD shall consider the availability of sufficient Certified MBEs and WBEs for the supplies, materials and equipment or services required as part of the Procurement.

(c) No goal shall be treated as a quota nor shall it be used to discriminate against any Person on the basis of race, color, national origin, religion or sex.

Sec. 34-268. Certification

The CCD shall Certify only Persons that meet all the following criteria:

(a) The Person must be either an MBE or a WBE, or must establish that such Person has individually suffered bias such that his or her opportunities to form and operate a successful business have been substantially diminished because of race, ethnicity, culture or disability. (b) The Person must be either an individual who is Socially and Economically Disadvantaged or 51 % Owned by one or more individuals who are Socially and Economically Disadvantaged.

(1) The Ownership by a Socially and Economically Disadvantaged Person must be real, substantial, and continuing, going beyond *pro forma* ownership of the Person as reflected in Ownership documents.

(2) The contributions to acquire the Ownership interest must be real and substantial. If Expertise is part of the contribution, the Expertise must be of the requisite quality generally recognized in a specialized field, necessary to the Person's potential success, specific to the type of work the Person performs and documented in the Person's records.

(b) The Person must be managed and Controlled by one or more Socially and Economically Disadvantaged individual.

(1) There must not be any formal or informal restrictions that limit the customary discretion of the Socially and Economically Disadvantaged individual(s). There can be no restrictions through corporate charter provisions, by-law provisions, contracts or any other formal or informal devices that prevent the Socially and Economically

Disadvantaged individual(s), without the cooperation or vote of any non-Socially and Economically Disadvantaged individuals, from making any business decision of the Person, including the making of obligations or the dispersing of funds.

- (2) The Socially and Economically Disadvantaged individual(s) must possess the power to direct or cause the direction of the management and policies of the Person and to make day-to-day as well as long-term decisions on management, policy, operations and work.
 - (3) The Socially and Economically Disadvantaged individual(s) may delegate various areas of the management or daily operations of the Person to individuals are not Socially and Economically Disadvantaged. Such delegations of authority must be revocable, and the Socially and Economically Disadvantaged individual(s) must retain the power to hire and fire any such Person. The Socially and Economically Disadvantaged individual(s) must actually exercise control over the Person's operations, work, management and policy.
 - (4) The Socially and Economically Disadvantaged individual(s) must have an overall understanding of, and managerial and technical competence, experience and Expertise, directly related to the Person's operations and work. The Socially and Economically Disadvantaged individual(s) must have the ability to intelligently and critically evaluate information presented by other participants in the Person's activities and to make independent decisions concerning the Person's daily operations, work, management, and policymaking.
 - (5) If federal, state or local laws, regulations or statutes require a particular license or other credential to own or Control a certain type of Person, then the Socially and Economically Disadvantaged individual(s) must possess the required license or credential.
 - (6) A Socially and Economically Disadvantaged owner cannot engage in outside employment or other business interests that conflict with the management of the Person or prevent the owner from devoting sufficient time and attention to manage and Control the Person's day to day activities.
- (c) Only an independent Person may be certified as a MBE or WBE. An independent Person is one whose viability does not depend on its relationship with another Person. Recognition of an applicant as a separate entity for tax or corporate purposes is not necessarily sufficient to demonstrate that a Person is independent. In determining whether an applicant is an independent business, the CCD will:
- (1) Scrutinize relationships with non-Certified Persons in such areas as personnel, facilities, equipment, financial and/or bonding support, and other resources.
 - (2) Consider whether present or recent employer/employee relationships between the Socially and Economically Disadvantaged owner(s) of the applicant and non-Certified Persons associated with non-Certified Firms compromise the applicant's independence.
 - (3) Examine the applicant's relationships with non-Certified Persons to determine whether a pattern of exclusive or primary dealings with non-Certified Persons compromises the applicant's independence.
 - (4) Consider the consistency of relationships between the applicant and non-Certified Persons with normal industry practice.

(d) The Person shall be Certified only for specific supplies, equipment, goods or services, or for types of work in which the Socially and Economically Disadvantaged owner(s) has the ability and Expertise to manage and Control the Person's operations and work.

(e) In lieu of conducting its own certifications, the CCD by rule may accept formal certifications by other entities as meeting the requirements of the Program, if the CCD determines that the certification standards of such entities are comparable to those set forth herein.

(f) The certification status of all MBEs and WBEs shall be reviewed periodically by the Office of Contract Compliance. Failure of the Person to seek recertification by filing the necessary documentation with the CCD as provided by rule may result in decertification.

(g) It is the responsibility of the Certified PCE to notify the CCD of any change in its circumstances affecting its continued eligibility for the Program. Failure to do so may result in the PCE's decertification.

(h) The CCD shall decertify a PCE that does not continuously meet the eligibility criteria.

(i) Decertification by another agency shall create a *prima facie* case for decertification by the County. The challenged PCE shall have the burden of proving that its County certification should be maintained.

(j) A Person that has been denied certification or recertification or has been decertified may protest the denial or decertification as provided by rule.

(k) A Person found to be ineligible may not apply for certification for six (6) months after the effective date of the final decision.

(l) A third party may challenge the eligibility of an applicant for Certification or a Certified PCE pursuant to procedures established by the CCD. Such challenges shall be signed and sworn by the individual challenging the eligibility of an applicant for Certification or a Certified PCE. The burden of proof shall rest with the complainant. Such challenges to eligibility shall be subject to an appeal. The CCD shall be the final arbiter of all challenges. The presumption that the challenged PCE is eligible shall remain in effect until the CCD renders a final decision.

Sec. 34-269. Utilization plan; commercially useful function.

(a) *Utilization Plan required.* The CPO shall include in Contract Documents for Contracts covered by this Division, a requirement that a Utilization Plan be submitted which either: (i) commits to PCE participation equal to or greater than the applicable Program Goals or Contract Specific Goals, or (ii) requests a waiver of all or a portion of a Program Goal or Contract Specific Goal. The Utilization Plan shall be in such form and contain such information as is required by the CCD. Failure to include a Utilization Plan will render the submission not Responsive. The CCD shall review and either approve or reject the Utilization Plan. For purposes of evaluation a Utilization Plan, only PCEs which perform a Commercially Useful Function shall be considered.

(b) *Commercially Useful Function.* To be considered in meeting Goals, a PCE must perform a Commercially Useful Function, as determined pursuant to this subsection 34-269(b). "Commercially Useful Function" means the performance of a distinct element of work required for the Procurement, with the requisite skill and Expertise.

- (1) In the case of a Procurement of goods or equipment, ordering from a manufacturer or distributor for delivery directly to the Using Agency is not a Commercially Useful Function; provided, however, that to the extent such practice is consistent with normal industry practices, a PCE subcontractor may enter into second tier subcontracts. However, if a PCE Contractor or subcontractor subcontracts a significantly greater portion of the work of the Contract than would be expected on the basis of normal industry practices, the PCE shall be presumed not to be performing a Commercially Useful Function.
- (2) In the case of a Procurement of services, a Person which subcontracts with another Person to perform the services required does not perform a Commercially Useful Function unless such Person also performs significant supervisory or management responsibilities. A Broker does not fulfill a Commercially Useful Function. In the case of a Joint Venture partner, each Joint Venture partner must perform a Commercially Useful Function.
- (c) PCE does not perform a Commercially Useful Function if its role is limited to that of an extra participant in the Contract through which funds are passed in order to obtain the appearance of PCE participation.
- (d) When a PCE is presumed not to be performing a Commercially Useful Function, the Certified PCE and the Person seeking to include that PCE in its Utilization Plan, may present evidence to rebut this presumption.
- (e) Once a Utilization Plan has been approved, the Contractor cannot make changes to the Utilization Plan, including substituting PCEs named in the Utilization Plan, without the prior written approval of the CCD, CPO and the Using Agency. The CCD shall promulgate procedures for changes to the Utilization Plan.

Sec. 34-270. Methods to Achieve Goals and Compliance.

A Person may achieve the applicable Contract Specific Goals in any one or more of the methods set forth below. The same PCE, whether as a contractor, subcontractor or supplier, cannot be utilized as both a MBE and a WBE on the same Contract.

- (1) *PCE as prime Contractor.* An MBE or WBE may count its own participation toward the achievement of the applicable MBE or WBE goal. Such PCE will be required to meet the other goals by another method described herein. If a WBE is also a MBE, such WBE's participation may count toward either the MBE or WBE Goal but not both.
- (2) *Joint Venture with one or more PCE.* Where a Person engages in a Joint Venture with one or more PCEs, the Utilization Plan shall include a written agreement at least the information set forth in subsection 34-384 (ii) 1 through 4 below. The CCD shall consider the following in determining whether the proposed Utilization Plan satisfies the Program Goals based upon such written Joint Venture agreement and the Utilization Plan.
 - a. Each Joint Venture partner's initial capital investment;
 - b. The extent to which the PCE's proposed participation in the performance of the Contract constitutes a Commercially Useful Function;

- c. Whether the PCE's share in the risks and profits of the Joint Venture is proportional to their ownership interest;
 - d. Whether the PCE will have duties, responsibilities, management Control and risk with respect to the Joint Venture in proportion to its ownership interest;
- (3) *Subcontracting.* A Person may achieve the Contract Specific Goals by means of subcontracting with, or purchasing from one or more PCEs.

Sec. 34-271. Request for a total or partial waiver; Good Faith Efforts.

(a) In reviewing a partial or total request for waiver of a Goal, the CCD shall determine whether a Person has made good faith efforts to meet the applicable Goals and to what extent the waiver request should be granted. In determining whether a Person has made Good faith efforts, the CCD will consider whether the Person has taken the following actions:

- (1) Review lists of PCEs maintained by the County and other State and local governments and agencies to identify qualified PCEs for solicitation for Bids;
- (2) Divide Procurement requirements into small tasks or quantities. This shall include, where appropriate, breaking out Contract work items into economically feasible units, consistent with the availability of PCEs, to facilitate PCE participation, even when the Contractor would otherwise prefer to perform these work items with its own forces.
- (3) Adjust any insurance requirements imposed by the Person seeking PCEs, or otherwise assist PCEs in obtaining any required insurance, where economically feasible, to encourage participation by PCEs;
- (4) Make timely attempts to contact PCEs providing the type of supplies, equipment, goods or services required for the Procurement; and provide them with a convenient and timely opportunity to obtain and review all information concerning the Procurement necessary to enable such PCE to respond;
- (5) Follow up initial contacts of PCEs to determine if they are interested participating in the Procurement;
- (6) Negotiate in good faith and on a timely basis with PCEs to enable them to participate in the Procurement. Evidence of such negotiation includes the names, addresses, and telephone numbers of PCEs that were contacted; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and why agreements could not be reached. The Contractor may not reject PCEs as being unqualified without sound reasons. That there may be some additional costs involved in finding and using PCEs is not in itself sufficient reason for a Contractor's failure to meet the Goals, as long as such costs are reasonable.
- (7) Make efforts to assist interested PCEs in obtaining necessary equipment, supplies, materials, or related assistance or services, where appropriate; provided, however, that such efforts shall not be inconsistent with the requirement that the PCE be responsible for actually obtaining and paying for such items.

- (8) Establish delivery schedules which will encourage participation by PCEs, where the requirements of the Procurement permit;
- (9) Use the services and assistance of the CCD's staff, the Small Business Administration, the Office of Minority Business Enterprises of the U.S. Department of Commerce;
- (10) Timely notify appropriate community and minority and women's business organizations identified as assist agencies of the opportunity for participation in the Procurement;
- (11) Demonstrate to the CCD that no PCE exists with which a mentor/protégé relationship could be established, as described in Section 34-271.

(b) In determining whether a Bidder or Respondent has made Good Faith Efforts, the levels of participation by PCEs set forth in Utilization Plans submitted by other Persons for the same Procurement may be considered. For example, if the apparent successful Bidder or Respondent fails to meet the Contract Specific Goals, but meets or exceeds the average PCE participation obtained by other Bidders or Respondents, this may be evidence that the apparent successful Bidder or Respondent made Good Faith Efforts.

(c) Where the County requires professional services, the County must be able to call upon those professionals whose particular training and experience are most beneficial to the County.

- (1) The County sets an annual "best efforts" goal of 35 percent PCE participation for the total professional services and consulting services utilized by the County.
- (2) A Utilization Plan shall be required, and if a waiver or partial waiver is requested, "good faith" efforts shall be demonstrated as set forth in Section 34-271; provided, however, that such Persons shall not be required to attempt to subcontract with PCEs if sub-contractors would not typically be utilized for the type of Procurement. In such cases, the Person shall document the reasons for not sub-contracting in a waiver request.
- (3) The Contractor will endeavor to maximize use of PCEs for supplies, equipment, goods or services for such Contractor's business operations not specifically for the Procurement.
- (4) If such Persons is required to have or has an affirmative action plan and goals, such plan and goals shall be submitted with their Utilization Plan. The CCD shall compare such plan and goals with the Person's actual affirmative action achievements and such achievements may be considered by the County in future Procurements.

(d) *Mentor/protege agreements.* Where a Contractor enters into mentor/protege agreement with a PCE to improve or develop certain aspects of the business of the PCE, the CCD shall evaluate the effect of such agreement as a factor in determining good faith efforts. The mentor/protege agreement may provide for the Contractor to assist the PCE in such areas as technical aspects of the PCE's business, improving financial management, or providing on-the-job training. To constitute good faith efforts, the mentor/protégé agreement shall satisfy the following requirements.

- (1) The PCE performs a Commercially Useful Function;
- (2) The agreement shall be included in the Utilization Plan; and

- (3) The agreement clearly defines the respective responsibilities of the Contractor and the PCE and includes specific, measurable goals to be attained by both parties through the performance of the agreement. In order to be a factor in establishing best efforts, the mentor/protégé agreement must be for a reasonable period of time.
- (e) The CCD may grant a total or partial waiver based upon the following criteria:
 - (1) There are not sufficient PCEs capable of providing the supplies, equipment, goods or services required for the Procurement;
 - (2) The Procurement cannot reasonably be divided;
 - (3) The price required by potential PCEs is more than ten percent above competitive levels; and
 - (4) Any other factor relating to good faith efforts as set forth in the Person's Utilization Plan.

Sec. 34-272. Calculating PCE participation.

In calculating a PCE's participation, only dollar amounts commensurate with a PCE's performance of a Commercially Useful Function may be counted.

(a) The dollar value of that portion of a Procurement that is performed by the PCEs' own forces shall be counted, including the cost of supplies, materials and equipment furnished by the PCE for the Procurement, whether purchased or leased (except to the extent purchased or leased from the Contractor or the Contractor's Affiliate).

(b) The dollar amount of fees or commissions charged by a PCE for providing a bona fide service, such as professional, technical, consultant, managerial, insurance brokerage or surety services, shall be counted, provided the fee is reasonable and not excessive as compared with fees customarily charged for similar services.

(c) When a PCE is a Joint Venture partner, only the dollar value of the distinct, clearly defined work performed by the PCE with its own forces, shall be counted.

(d) Only the dollar value must be commensurate with the work the PCE actually performs.

(e) One hundred percent (100%) of the cost of the supplies, equipment or goods obtained from a PCE Manufacturer or Regular Dealer shall be counted.

(f) One hundred percent of the fees or transportation charges for the delivery of supplies, equipment, materials or goods shall be counted only if the payment of such fees is a customary industry practice and such fees are commensurate with fees customarily charged for similar services.

(g) If a PCE ceases to be Certified during its performance on a Procurement, the dollar value of work performed under a Contract with that Person after it has ceased to be Certified shall not be counted.

(h) Only the dollar amount actually paid to the PCE shall be counted toward the participation of a PCE.

Sec. 34-273. Review of contract performance.

(a) *Compliance with Utilization Plan.* The CCD shall review the Contractor's compliance with its Utilization Plan as necessary during the performance of the Contract. The CCD may establish such requirements for periodic Contractor reporting on compliance with its Utilization Plan as the CCD determines appropriate and necessary. A Contractor shall be required to provide any additional requested compliance documentation within 14 days of request by the CCD.

- (1) If the CCD determines that the Contractor has failed to comply with its Utilization Plan, the CCD shall notify the CPO of such failure. The CPO shall then send notice of default to the Contractor, and the Contractor shall have such time to cure the default as is provided in the Contract. If no such period is provided, the Contractor shall have ten days to cure such default. For purposes of this Section, providing a plan for bringing the Contract into compliance with the Utilization Plan may constitute a cure, if compliance cannot reasonably be achieved within the applicable cure period, and if compliance is achieved in accordance with such plan.
- (2) If a Contractor fails to provide any documentation required by the CCD, the CCD shall notify the CPO of such failure. The CPO shall then send notice of default to the Contractor, and the Contractor shall have such time to cure the default as is provided in the Contract. If no such period is provided, the Contractor shall have ten days to cure such default.

(b) *Bid and target market programs.* To address more specifically the barriers to PCE participation as prime Contractors in County work, the CCD may recommend to the CPO to institute the following special PCE bidding provisions, following determination of the appropriateness of such provisions.

- (1) In connection with the award of a Contract subject to competitive bidding on which a PCE has bid and where the PCE is bidding on the item in question for the first time; and has never successfully bid on a Cook County purchasing contract, the Contract Compliance Director may, at the opening of the bids on the item, compare the PCE Bid with the lowest Bid, and, if the PCE's Bid is closely competitive as defined by guidelines to be established by the Contract Compliance Director with that of lowest actual Bids, direct the CPO to declare the PCE the successful Bidder. A PCE may use this procedure only once to become the successful Bidder on any particular item. Thereafter, the PCE must be totally competitive in terms of price to be the successful Bidder.
- (2) The Contract Compliance Director shall develop and coordinate a target market program as follows:
 - a. The Contract Compliance Director shall review the availability of PCEs providing various goods and services and shall identify for inclusion in a potential program for bidding among PCE Persons certain commodity areas with sufficient PCE availability to ensure that the County receives a competitive price. The Contract Compliance Director shall report his/her findings and recommendations to the Contract Compliance Committee;
 - b. Upon a determination by the CCD that such a program is advisable for any particular commodity procurement, the Contract Compliance Director will institute the following procedures:

1. The Contract Compliance Director will notify the CPO of identification of those commodity codes appropriate for a target market program;
 2. To the extent practicable, the CPO, with the aid of the Contract Compliance Director, shall divide procurement in the designated commodity areas into economically feasible sizes to facilitate Bids or offers from PCEs and shall designate contracts to be offered under the target market program;
 3. The CPO shall offer PCEs the opportunity to bid on such contracts in a limited competition;
 4. All standard County rules for bidding will then become effective and, provided that at least three PCEs Bid or make an offer on the contract, the lowest Responsive and Responsible Bidder among the PCEs will receive the contract;
 5. In the event less than three PCEs Bid or make an offer on the Contract or if there is no Responsive Bid or offer received from a Responsible PCE, the CPO shall rebid the Contract not subject to the target market program.
- c. Participation in the target market program shall be limited to Minority Business Enterprises, Women's Business Enterprises and Joint Ventures consisting exclusively of Minority Business Enterprises, Women's Business Enterprises or both. The PCE Contractor on a target market Contract may subcontract up to 49 percent of the dollar value of the target market Contract to subcontractors who are not Minority Business Enterprises or Women's Business Enterprises.

Sec. 34-274. Prompt payment of PCEs.

If an invoice from a Contractor includes payment for supplies, equipment, goods or services furnished by a PCE, Contractor shall pay such PCE for such supplies, equipment, goods or services within thirty (30) days after receipt of payment from the County. The CCD shall investigate any complaint or charge of excessive delay in payment, and shall report the results of such investigations to the Contract Compliance Committee and to the County Comptroller. Failure of Contractor to comply with this Section 34-388 shall constitute a material breach of the Contract.

Sec. 34-275. Reporting and review.

The CCD shall report to the Board on an annual basis with respect to the following:

- (1) The percentage of the total dollar amount of Procurements for such year actually received by PCEs;
- (2) The number of MBEs and WBEs available for participation in Procurements, by category;
- (3) An evaluation of the effectiveness of this division in ensuring equitable participation by PCEs in Procurements;

- (4) An assessment of the continuing need for the Program;
- (5) Identification of any enforcement problems; and
- (6) Any recommendations with respect to modifying or improving the Program, including discontinuing or modifying Program Goals in those cases where Minority Business Enterprises and Women's Business Enterprises no longer are disadvantaged by the effects of discrimination in their participation in Procurements.

Sec. 34-276. Prohibited provisions.

Any agreement between a Contractor and a MBE or WBE in which the Contractor requires that the MBE or WBE not provide subcontracting quotations to other Contractors is prohibited.

Subdivision II. Participation in Cook County Public Works Contracts

Sec. 34-285. Short title; incorporation of provisions.

This subdivision may be known and cited as the Cook County Public Works Minority- and Women-Owned Business Enterprise Ordinance. The provisions of the Cook County Minority- and Women-Owned business Enterprise General Ordinance are applicable to Public Works Contracts, except to the extent modified hereby.

Sec. 34-286. Findings.

(a) The findings set forth in subdivision I Section 34-261 of this division 8 are incorporated herein by this reference.

(b) The requirement in subdivision I that minority- and women-owned businesses (M/WBEs) be allotted certain percentages of County construction contracts was ruled unconstitutional as applied to construction contracts in *Builders Association of Greater Chicago v. County of Cook*, 256 F.3d 642 (7th Cir. 2001). See also *Builders Association of Greater Chicago v. City of Chicago*, 2003 WL 1786489, 2003 U.S. Dist. Lexis 23287 (N.D. Ill. 2003).

(c) The President and the Board of Commissioners of the County of Cook, after considering (i) evidence presented at trial in *Builders Association of Greater Chicago v. City of Chicago*, 298 F.Supp.2d 725 (N.D. Ill. 2003) and *Northern Contracting, Inc. v. Illinois Department of Transportation*, 2005 U.S. Dist. LEXIS 19868 (N.D. Ill. Sept. 8, 2005); (ii) County statistical evidence of continuing discrimination against Blacks, Hispanics, Asians and women in the County's Procurements; (iii) the Report title, "Review of Compelling Evidence of Discrimination Against Minority- and Women-Owned Business Enterprise in the Chicago Area Construction Industry and Recommendations for Narrowly Tailored Remedies for Cook County, Illinois;" as well as (iv) anecdotal evidence of discrimination against minorities and women in the County's Public Works Contracts; and (v) receiving and considering written reports, adopts the following findings as a strong basis in evidence supporting a narrowly tailored, remedial affirmative action program in Public Works Contracts.

(d) The County seeks to provide a level playing field and equal access for all prime contractors and subcontractors to participate in Public Works Contracts;

(e) The County has engaged in committee hearings in which the County has heard anecdotal evidence of discrimination in the construction industry, has commissioned a study on the levels of PCE participation in Public Works Contracts, has reviewed the report prepared indicating evidence of discrimination in Public Works Contracts and has considered the evidence in relevant case law; and

(f) In the absence of application of the Program to Public Works Contracts, the County has witnessed a drastic decline in PCE in its Public Works Contracts, to levels below the availability of PCEs, and thus, the County would be a passive participant in a discriminatory marketplace without the application of PCE goals.

Sec. 34-287. Policy.

Based on the findings set forth in subdivision I, Section 34-261 and the findings set forth in subdivision II, Section 34-286, and in addition to the policy set forth at Section 34-262, the policy and purpose of this subdivision is to establish and implement goals for participation of PCEs in Public Works Contracts, in accordance with all applicable laws.

Sec. 34-288. Program goals.

The Program Goal applicable to Public Works Contracts shall be a goal of twenty-four percent (24%) of the annual total dollar amount of Public Works Contracts to MBEs and a goal of not less than ten percent (10%) of the annual total dollar amount of Public Works Contracts to WBEs. In establishing a Contract Specific Goal for Public Works Contracts, the CCD shall consider the availability of sufficient Certified MBEs and WBEs for each trade required as part of the project.

Sec. 34-289. Commercially useful function.

To determine whether a PCE is performing a Commercially Useful Function, the County will evaluate whether the portion of the work subcontracted to or by a PCE is in accordance with industry standards. For example, if a PCE subcontracts a greater portion of the work of a Contract than would be expected based on normal industry practice, it is presumed not to perform a Commercially Useful Function. In addition, to perform a Commercially Useful Function, the PCE must be responsible, with respect to materials, equipment and supplies used in performing its portion of the Contract, for negotiating price, determining whether quality meets specifications, ordering the material, installing (where applicable) and paying for the material itself.

DIVISION 9. CONTRACT MANAGEMENT

Sec. 34-300. Contracts.

(a) *Purpose.* The purpose of this Division is to ensure that Contracts in an amount of \$1,000,000.00 or more are performed in accordance with the Contract terms.

(b) *Applicability.* This Division shall only apply to Contracts of \$1,000,000.00 or more.

(c) *Funding.* The extent to which this division shall be implemented shall be limited to the availability of funding. The Board encourages the County to seek out any available grant funding for this initiative.

Sec. 34-301. Information to be contained in eContracts.

All Contracts over \$1,000,000.00 should contain, but not be limited to, the following information, as applicable:

(a) Clearly state the specifications, contract period, allowable renewals or extension periods, and procedures for amendments or changes;

(b) Provide for specific measurable deliverables and reporting requirements, including due dates;

Describe any payment schedules and escalation factors;

(d) Contain performance standards;

(e) Tie payments to the acceptance of deliverables or the final product;

(f) Contain all standard or required clauses as published in an RFP. Order of precedence should be addressed in case of a discrepancy between the RFP and the Contract;

(g) Contain appropriate signatures, approvals, acknowledgements, or witnesses; and

(h) Be reviewed and approved as to form by an attorney from the Cook County State's Attorney's Office prior to execution.

Sec. 34-302. Contract management for Contracts.

(a) Using Agency responsibilities are as follows:

(1) Designate one or more individuals as the "Contract Manager" with the knowledge, skills, ability and time to monitor the Contract;

(2) The CPO may provide staff to assist the Using Agency in complying with this division.

(b) Contract Manager's duties:

(1) Monitor performance of the Contract in accordance with its terms;

(2) Track budgets and compare invoices and charges to contract terms and conditions;

(3) Document the timeliness and acceptance or rejection of deliverables and initiate appropriate action to enforce the Contract terms; and

(4) Evaluate and document compliance with Contract requirements on a periodic basis during the term of the Contract and submit to the CPO.

(c) CPO's duties:

(1) Create uniform evaluation forms for use by Contract Managers, to evaluate the extent to which the Contractor satisfied the Contract terms;

- (2) Establish appropriate procedures to ensure that evaluations are utilized in determining whether a Bidder or Proposer is Responsible; provided, however, that evaluations made only within the past three years shall be considered;
- (3) Assist Using Agencies in obtaining training through the National Contract Managers Association, Institute of Supply Management or National Institute of Government Purchasing standards, for Contract Managers.

~~Sec. 34-303. Effective date.~~

~~———— This Division shall be effective one year after adoption.~~

DIVISION 10. INVOICES FOR SERVICES RENDERED

Sec. 34-310. Invoices required for all service Contracts.

(a) Work Performed. All Contracts for services, regardless of compensation structure, shall contain a provision requiring the Contractor to submit itemized records indicating the dates that services were provided, a detailed description of the work performed, and the amount of time spent performing work.

(b) Expenses. Contracts for services shall also require Contractors to submit documentation of the types and amounts of expenses incurred related to the work performed if the Contractor uses County funds to pay for any such expenses or seeks reimbursement for any such expenses incurred.

(c) Payment. All Contracts for services shall further require that the itemized work and expense records be submitted with the Contractor's invoice as a condition of payment for any services rendered.

Sec. 34-311. No payment prior to submission of invoice.

The Comptroller shall not issue a payment to any Contractor providing services who has not submitted the requisite invoice with work and expense records unless the Contractor has been approved for advance payment by the CPO. Contractors approved for advance payment shall be required to submit invoices providing work and expense records as described above in Section 34-310 on at least a monthly basis.

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER GARCIA, MOVED TO DEFER THE PROPOSED COMPREHENSIVE RESTATEMENT OF THE COOK COUNTY PROCUREMENT CODE (COMMUNICATION NO. 313644), AS AMENDED BY SUBSTITUTION. THE MOTION CARRIED.

313645 **AN ORDINANCE PROVIDING FOR THE ISSUANCE OF ONE OR MORE SERIES OF GENERAL OBLIGATION BONDS OF THE COUNTY OF COOK, ILLINOIS (PROPOSED ORDINANCE).** Submitting a Proposed Ordinance sponsored by Toni Preckwinkle, President, Co-sponsored by Jerry Butler, John P. Daley, Jesus G. Garcia, and Robert B. Steele, County Commissioners.

The following is a synopsis of the Proposed Ordinance:

An Ordinance providing for the issuance of one or more series of General Obligation

Bonds of The County of Cook, Illinois.

**Sponsored by
THE HONORABLE TONI PRECKWINKLE PRESIDENT OF THE COOK
COUNTY BOARD OF COMMISSIONERS**

**Co-sponsored by
THE HONORABLE JERRY BUTLER, JOHN P. DALEY, JESUS G. GARCIA and
ROBERT B. STEELE**

***Referred to the Finance Committee on 07/12/11.**

The proposed ordinance authorizing the issuance of General Obligation Bonds is available for viewing or download at the following website:
<http://legacy.cookcountygov.com/secretary>

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER MURPHY, MOVED THAT THE PROPOSED ORDINANCE PROVIDING FOR THE ISSUANCE OF ONE OR MORE SERIES OF GENERAL OBLIGATION BONDS (COMMUNICATION NO. 313645) BE APPROVED. COMMISSIONER SIMS CALLED FOR A ROLL CALL, THE VOTE OF YEAS AND NAYS BEING AS FOLLOWS:

**ROLL CALL ON MOTION TO APPROVE
COMMUNICATION NO. 313645**

Yeas: Chairman Daley, Vice Chairman Sims, Commissioners Butler, Collins, Gainer, Garcia, Gorman, Goslin, Murphy, Reyes, Silvestri, Suffredin and Tobolski (13).

Nays: Commissioners Fritchey and Schneider (2).

Absent: Commissioners Beavers and Steele (2).

THE MOTION CARRIED AND THE ORDINANCE PROVIDING FOR THE ISSUANCE OF ONE OR MORE SERIES OF GENERAL OBLIGATION BONDS (COMMUNICATION NO. 313645) WAS APPROVED AND ADOPTED.

**11-O-69
ORDINANCE**

**Sponsored by
THE HONORABLE TONI PRECKWINKLE, PRESIDENT
OF THE COOK COUNTY BOARD OF COMMISSIONERS**

**Co-Sponsored by
THE HONORABLE JERRY BUTLER, JOHN P. DALEY, JESUS G. GARCIA
AND ROBERT B. STEELE, COUNTY COMMISSIONERS**

**AN ORDINANCE providing for the issuance of one or more series of
General Obligation Bonds of the County of Cook, Illinois.**

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that “a County which has a Chief Executive Officer elected by the electors of the County ... (is) a Home Rule Unit” and The County of Cook, Illinois (the “*County*”), has a Chief Executive Officer elected by the electors of the County and is therefore a Home Rule Unit and may, under the power granted by said Section 6(a) of Article VII of the Constitution of 1970, as supplemented by the Local Government Debt Reform Act, as amended, and the other Omnibus Bond Acts, as amended, exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the County has the power to incur debt payable from ad valorem property tax receipts or from any other lawful source and maturing within 40 years from the time it is incurred without prior referendum approval; and

WHEREAS, the Board of Commissioners of the County (the “*Corporate Authorities*”) has not adopted any ordinance, resolution, order or motion or provided any County Code provisions which restrict or limit the exercise of the home rule powers of the County in the issuance of general obligation bonds without referendum for corporate purposes or which provides any special rules or procedures for the exercise of such power; and

WHEREAS, the County has heretofore issued and there are now outstanding various series of general obligation bonds, as follows:

General Obligation Capital Improvement Bonds, Series 1996
General Obligation Refunding Bonds, Series 1996
General Obligation Refunding Bonds, Series 1997A
Taxable General Obligation Variable Rate Bonds, Series 2002A
General Obligation Variable Rate Capital Improvement Bonds, Series 2002B
General Obligation Capital Improvement Bonds, Series 2002C
General Obligation Refunding Bonds, Series 2002D
General Obligation Refunding Bonds, Series 2003A
General Obligation Refunding Bonds, Series 2003B
General Obligation Refunding Bonds, Series 2004A
Tax-Exempt General Obligation Capital Improvement Bonds, Series 2004B
Taxable General Obligation Bonds, Series 2004C
Taxable General Obligation Variable Rate Bonds, Series 2004D
General Obligation Refunding Bonds, Series 2006A
General Obligation Refunding Bonds, Series 2006B
General Obligation Refunding Bonds, Series 2009A
Taxable General Obligation Bonds, Series 2009B
(Build America Bonds – Direct Payment)
General Obligation Refunding Bonds, Series 2009C
General Obligation Capital Equipment Bonds, Series 2009D
Taxable General Obligation Bonds, Series 2009E
General Obligation Refunding Bonds, Series 2010A
Taxable General Obligation Bonds, Series 2010C (Pension Funding)
Taxable General Obligation Bonds, Series 2010D (Build America Bonds - Direct Payment)
Taxable General Obligation Bonds, Series 2010E
General Obligation Refunding Bonds, Series 2010G

(collectively, the “*Prior Bonds*”); and

WHEREAS, the Prior Bonds are now outstanding in the aggregate principal amounts, mature and are subject to optional and mandatory redemption on the dates and as provided in the various ordinances adopted by the Corporate Authorities to authorize the issuance of the Prior Bonds; and

WHEREAS, it is in the best interests of the County and its citizens and is necessary for the government and affairs of the County to authorize the refunding (the "*Refunding*") from time to time of all or a portion of the Prior Bonds and of all or a portion of any Refunding Bonds or any Project Bonds (defined herein) issued hereunder, all as may be advisable from time to time in order to achieve debt service savings for the County or to restructure the debt service burden on the County; and

WHEREAS, the aggregate costs of the Refunding, including consulting, financial advisory, legal and related professional services, capitalized interest, bond discount and interest, trustee, accounting and other financial fees as shall be necessary, are in excess of funds lawfully available and on hand and anticipated to be on hand from time to time; and

WHEREAS, the Corporate Authorities accordingly do hereby determine that it is advisable and in the best interests of the County to borrow from time to time for the purpose of paying the costs of the Refunding, and to pay costs of issuance, and, in evidence of such borrowing, to issue one or more series of full faith and credit bonds (collectively, the "*Refunding Bonds*") of the County as hereinafter authorized; and

WHEREAS, the County, by its Corporate Authorities, has previously made and does now affirm the determination that it is desirable and in the public interest of the County to undertake certain financial management projects, being the Insurance Reserve Project and the Restructuring Project, each as hereinafter further itemized (being, together, the "*Financial Management Projects*"); and

WHEREAS, the Insurance Reserve Project includes, but is not limited to, the establishment of reserves for expected losses for liability or any liability for which the County is authorized to purchase insurance, including the payment of any tort judgment or settlement for compensatory damages for which the County or an employee while acting within the scope of his or her employment is liable, and further including the payment of any credit facility or other obligation of the County issued to make such payments; and

WHEREAS, the Restructuring Project includes the issuance of short-term obligations for the purpose of enabling the County to have on hand at all times sufficient funds to meet demands thereon for necessary expenditures for corporate purposes; and

WHEREAS, the aggregate costs of the Financial Management Projects, including consulting, financial advisory, legal and related professional services, capitalized interest, bond discount and interest, trustee, accounting and other financial fees, and such additional professional services as shall be necessary, are in excess of funds lawfully available and on hand and anticipated to be on hand from time to time; and

WHEREAS, the County, by its Corporate Authorities, has previously made and does now affirm the determination that it is desirable and in the public interest of the County to undertake certain County construction, acquisition, equipment and financing projects as may be hereafter specifically approved by the Corporate Authorities, being generally described as the Public Safety Funds Project, the Health Fund Project, the Corporate Fund Project, and the Capital Equipment Project, each as hereinafter further itemized (being, collectively, the "*Capital Projects*"); and

WHEREAS, the Public Safety Funds Project includes but is not limited to the construction, equipping, renovation and replacement of court, jail and related facilities; and

WHEREAS, the Health Fund Project includes but is not limited to the construction, equipping, renovation and reconstruction of various County health facilities, including but not limited to, the John H. Stroger, Jr. Hospital of Cook County and County health clinics; and

WHEREAS, the Corporate Fund Project includes the improvement and renovation of County facilities, including but not limited to the County Building, the Cook County Administration Building, elevator modification and telecommunication wiring; and

WHEREAS, the Capital Equipment Project includes the purchase of capital equipment for use by various County departments; and

WHEREAS, the individual components of the Capital Projects to be financed hereunder shall be as hereafter approved by the Corporate Authorities but shall be generally as hereinabove described; and

WHEREAS, the aggregate costs of the Capital Projects, including landscaping and improvement of grounds, the acquisition of real property or rights therein and such personality or rights therein as may be necessary for the efficient acquisition, construction or operation of the Capital Projects, operating costs, architectural, consulting, engineering, financial advisory, legal and related professional services, capitalized interest, bond discount and interest, trustee, accounting and other financial fees, and such appurtenances as shall be necessary, are in excess of funds lawfully available and on hand and anticipated to be on hand from time to time; and

WHEREAS, the Corporate Authorities accordingly do hereby determine that it is advisable and in the best interests of the County to borrow from time to time for the purpose of paying the costs of the Financial Management Projects and the Capital Projects (collectively, the “*Projects*”) and to pay costs of issuance, and, in evidence of such borrowing, to issue one or more series of full faith and credit bonds (collectively, the “*Project Bonds*”) of the County as hereinafter authorized, *provided* that no Capital Project Bonds shall be issued pursuant to this Ordinance prior to July 1, 2012; and

WHEREAS, the Corporate Authorities heretofore have, and it hereby expressly is, determined that such Refunding Bonds and Project Bonds (together, the hereinafter defined “*Bonds*”) shall be issued in separate or in joint series from time to time as shall be determined to be advisable and in the best interests of the County, subject to those limitations as hereinafter set forth:

NOW THEREFORE BE IT ORDAINED, by the Board of Commissioners of the County of Cook, Illinois, as follows:

Sec. 1. Definitions.

- A. The following words and terms are as defined in the preambles hereto.

Capital Projects
Corporate Authorities
County
Financial Management Projects
Prior Bonds
Project Bonds
Projects
Refunding
Refunding Bonds

B. The following words and terms are defined as set forth, unless the context or use indicates another or different meaning:

“*Act*” means the Counties Code, as supplemented and amended by the Local Government Debt Reform Act of the State of Illinois, and the other Omnibus Bond Acts, as amended, and as further supplemented and, where necessary, superseded by the County’s home rule powers under Section 6 of Article VII of the 1970 Constitution of the State of Illinois

“*Agency Obligation*” means obligations issued or guaranteed by any of the following agencies, *provided* that such obligations are backed by the full faith and credit of the United States of America: Export-Import Bank of the United States direct obligations or fully guaranteed certificates of beneficial ownership; Federal Financing Bank; Farmers Home Administration certificates of beneficial ownership; Federal Housing Administration Debentures; Government National Mortgage Association guaranteed mortgage-backed bonds; General Services Administration participation certificates; United States Maritime Administration obligations guaranteed under Title XI; New Communities Debentures; United States Public Housing Notes and Bonds; and United States Department of Housing and Urban Development Project Notes and Local Authority Bonds.

“*Authorized Denomination*” means (i) for Current Interest Bonds, \$5,000 or any integral multiple thereof or such other denominations provided in a Bond Order, (ii) for Capital Appreciation Bonds, Original Principal Amounts of such Capital Appreciation Bonds or any integral multiple thereof, and (iii) for Variable Rate Bonds, the denominations as provided in an Indenture executed by the County in connection therewith.

“*Bond Counsel*” means, for any Series of Bonds, a bond counsel delivering its approving legal opinion in connection with that Series of Bonds.

“*Bond Fund*” means the account of that name established and further described in Section 12 of this Ordinance.

“*Bond Moneys*” means the Pledged Taxes, any other moneys deposited into the Bond Fund and investment income earned in the Bond Fund.

“*Bond Order*” means each written Bond Order, Notification of Sale and Direction to Levy Taxes as authorized to be executed by the Designated Officers by which the final terms of a Series of Bonds shall be established, all as hereinafter provided.

“*Bond Register*” means the books for the registration and transfer of the Bonds to be kept by the Trustee on behalf of the County.

“*Bonds*” means the bonds authorized under this Ordinance and to be issued in one or more Series pursuant to this Ordinance and one or more Bond Orders.

“*Book Entry Form*” means the form of Bonds as fully registerable and available in physical form only to the Depository.

“*Business Day*” means any day other than a day on which banks in New York, New York, Chicago, Illinois, or the city in which the applicable Escrow Agent or Trustee maintains an office designated for the purpose, are required or authorized to close.

“Capital Appreciation Bonds” means Bonds payable in one payment on only one fixed date.

“Capital Project Funds” means any of the Capital Project Funds if established and as further described in Section 12 of this Ordinance.

“Chief Financial Officer” means the Chief Financial Officer of the County. It is hereby expressly provided that in the event of a vacancy in the office of Chief Financial Officer or the absence or temporary or permanent incapacity of the Chief Financial Officer, the Comptroller shall be authorized to act in the capacity of the Chief Financial Officer for all purposes of this Ordinance.

“Code” means the Internal Revenue Code of 1986, as amended.

“Commitment” means (i) a commitment to issue a financial guaranty or municipal bond insurance policy issued by an Insurer and relating to a Series of Bonds and (ii) any separate municipal bond or financial guaranty insurance agreement between the County and an Insurer executed in connection with the issuance by such Insurer of its insurance policy with respect to a Series of Bonds.

“Compound Accreted Value” means, for any Capital Appreciation Bond, on any date of determination, an amount equal to the Original Principal Amount of such Bond (or integral multiple thereof) plus an investment return accrued to the date of such determination at a semiannual compounding rate which is necessary to produce the approximate yield to maturity borne by such Bond.

“Comptroller” means the County Comptroller and successors or assigns.

“Convertible CABs” means Bonds issued initially as Capital Appreciation Bonds containing provisions for the conversion of the Compound Accreted Value of such Bonds into Current Interest Bonds at such time following the issuance thereof as shall be approved by the Chief Financial Officer.

“County Clerk” means the County Clerk of the County.

“Credit Facility” means any letter of credit, line of credit, standby bond purchase agreement, bank bond purchase agreement, surety bond, Policy or other agreement or instrument under which any person (other than the County) undertakes to make or provide funds to make payment of the principal or premium, if any (if at the election of the County the Credit Facility secures premium payable upon an optional redemption of Bonds supported by such Credit Facility), and interest on a Series of Bonds, or the purchase of Bonds tendered for purchase in accordance with their terms, delivered to and received by the Trustee.

“Credit Facility Obligations” means any obligations incurred by the County to reimburse the issuer or issuers of one or more Credit Facilities securing one or more Series of Outstanding Bonds, including any fees or other amounts payable to the issuer of any such instruments, whether such obligations are set forth in one or more reimbursement agreements entered into between the County and the issuer of any such instruments, or in one or more notes or other evidences of indebtedness executed and delivered by the County pursuant thereto, or any combination thereof.

“Current Interest Bonds” means Bonds bearing interest at fixed rates and paying interest semiannually (which may have a first odd period for interest not greater than one year).

“Defeasance Obligation” means, for any Series of Bonds, obligations which are non-callable or otherwise subject to prepayment or acceleration and which are lawful investments for the County when purchased and limited to (1) (a) Agency Obligations, (b) Federal Obligations, (c) the interest component

of the obligations of Resolution Funding Corp which have been stripped by request to the Federal Reserve Bank of New York and are in book entry form, (d) pre-refunded municipal bonds rated “Aaa” by Moody’s or “AAA” by Standard & Poor’s and which pre-refunded bonds have been pre-refunded with cash, direct U.S. or U.S. guaranteed obligations, or (2) other obligations as may be permitted by the Insurer in its Policy for that Series of Bonds and related documents.

“*Depository*” means The Depository Trust Company, a New York limited trust company, its successor or a successor depository qualified to clear securities under applicable state and federal law.

“*Designated Officer*” means the President, Chief Financial Officer or any other officer, official or employee of the County so designated by a written instrument signed by the President or the Chief Financial Officer and filed with the Trustee.

“*Escrow Agent*” means, for any Series of Refunding Bonds, that institution, having fiduciary capacity, so designated in the relevant Bond Order, and successors and assigns.

“*Escrow Agreement*” means a written agreement by and between the County and the Escrow Agent and executed to effectuate a Refunding.

“*Federal Obligation*” means any direct obligation of, or any obligation the timely payment of principal of and interest on which is fully and unconditionally guaranteed by, the United States of America.

“*Financial Advisor*” means, for any Series of Bonds, the financial advisor consulting with the County as to the sale and delivery of that Series of Bonds.

“*Financial Management Project Funds*” means either of the Financial Management Project Funds if established and as further described in Section 12 of this Ordinance.

“*Indenture*” means a trust indenture by and between the County and the Trustee as authorized herein for the issuance of Variable Rate Bonds.

“*Insurer*” means any recognized issuer of a municipal bond or financial guaranty insurance policy insuring one or more series of Bonds as selected by the Chief Financial Officer and so designated in a Bond Order, and its successors and assigns.

“*Maturity Amount*” means, for Capital Appreciation Bonds, Compound Accreted Value at maturity.

“*Moody’s*” means Moody’s Investors Service, Inc., a Delaware corporation, and its successors and assigns.

“*Ordinance*” means this ordinance as originally introduced and adopted and as the same may from time to time be amended or supplemented in accordance with the terms hereof.

“*Outstanding Bonds*” means Bonds which are outstanding and unpaid; *provided, however*, such term shall not include Bonds (a) which have matured and for which monies are on deposit with proper paying agents or are otherwise properly available sufficient to pay all principal thereof and interest thereon; or (b) the provision for payment of which has been made by the County by the deposit in an irrevocable trust or escrow of funds, which may be invested in Defeasance Obligations, the principal of and interest on which will be sufficient, with any funds left uninvested, to pay at maturity or as called for

redemption all the principal of and interest on such Bonds, all as provided in and pursuant to Section 20 of this Ordinance.

“Pledged Taxes” means the unlimited ad valorem taxes levied herein and pledged hereunder by the County as security for the Bonds, any additional taxes as may be hereafter levied for any Variable Rate Bonds pursuant to the covenant contained in Section 9 of this Ordinance and any accrued interest received upon the sale of the Bonds and deposited into the Bond Fund.

“Policy” means a municipal bond or financial guaranty insurance policy issued for a Series of Bonds by an Insurer.

“Private Business Use” means any use of any portion of the Public Safety Funds Project, the Health Fund Project, the Corporate Fund Project or the Capital Equipment Project by any person other than a state or local governmental unit, including as a result of (i) ownership, (ii) actual or beneficial use pursuant to a lease or a management, service, incentive payment, research or output contract or (iii) any other similar arrangement, agreement or understanding, whether written or oral, except for use of any portion of the Public Safety Funds Project, the Health Fund Project, the Corporate Fund Project or the Capital Equipment Project on the same basis as the general public. *“Private Business Use”* includes any formal or informal arrangement with any person other than a state or local governmental unit that conveys special legal entitlements to any portion of the Public Safety Funds Project, the Health Fund Project, the Corporate Fund Project or the Capital Equipment Project that is available for use by the general public or that conveys to any person other than a state or local governmental unit any special economic benefit with respect to any portion of the Public Safety Funds Project, the Health Fund Project, the Corporate Fund Project or the Capital Equipment Project that is not available for use by the general public.

“Project Fund” means each fund included in the Capital Project Funds and the Financial Management Funds established and further described in Section 12 of this Ordinance.

“Purchase Price” means the price paid by the Underwriters for a Series of Bonds as provided in a relevant Bond Order.

“Qualified Investments” means any investment of proceeds of Bonds as may be permitted under the investment policy of the County and as defined in a Bond Order.

“Refunded Bonds” means any Prior Bonds, Refunding Bonds or Project Bonds refunded incidental to the Refunding.

“Regulations” means regulations promulgated by the United States Treasury and applicable to Tax Exempt Bonds or Tax Advantaged Bonds.

“Regular Record Date” means, for any Current Interest Bonds or Capital Appreciation Bonds, the 1st day of the month in which any regularly scheduled interest payment date occurs on the 15th day of such month and, in the event of a payment occasioned by a redemption of Bonds on other than a regularly scheduled interest payment date on the 15th day of a month, means the 15th day next preceding such payment date and, for a Series of Variable Rate Bonds, has the meaning set forth in the relevant Indenture.

“Representations Letter” means such letter or agreement as shall be necessary to effectuate a book-entry system for the Bonds, and specifically includes the Blanket Letter of Representations previously executed by the County and the Depository.

“Restructuring” means the restructuring of the debt service burden occasioned by the Prior Bonds and the related ad valorem property taxes levied by the County to pay principal of and interest on the Prior Bonds.

“Series” means, when appearing as a capitalized term, any one of the separate series of Bonds authorized by this Ordinance as hereinafter provided.

“Standard & Poor’s” means Standard & Poor’s Ratings Services, a division of The McGraw-Hill Companies, Inc., and its successors and assigns.

“Stated Maturity” means (i) with respect to any Current Interest Bond or Variable Rate Bond or any interest thereon, the date specified in such Bond as the fixed date on which the principal of such Bond or such interest is due and payable, whether by maturity or otherwise, and (ii) with respect to any Capital Appreciation Bond, the date specified in such Bond as the fixed date on which the Maturity Amount of such Bond is due and payable, whether by maturity or otherwise.

“Tax Advantaged Bonds” means taxable bonds authorized pursuant to the Code and as so designated pursuant to this Ordinance, the interest on which, but for provisions of the Code or one or more regulations promulgated by the United States Treasury, would be excludable from gross income of the owners thereof under the Code for federal income tax purposes.

“Tax Exempt” means, with respect to the Bonds, the status of interest paid and received thereon as excludable from the gross income of the owners thereof under the Code for federal income tax purposes, except to the extent that such interest is taken into account in computing an adjustment used in determining the alternative minimum tax for certain corporations. For purposes of Sections 13 through 17 herein, the term Tax Exempt may be deemed to include Tax Advantaged Bonds.

“Term Bonds” means Bonds which are subject to mandatory redemption prior to maturity by operation of the Bond Fund, as hereinafter provided.

“Trustee” means, for any Series of Bonds, that financial institution, having fiduciary capacity and meeting all of the requirements set forth in this Ordinance, as identified in a relevant Bond Order.

“Underwriters” means, for any Series of Bonds, the purchasers of that Series of Bonds.

“Underwriters’ Counsel” means, for any Series of Bonds, the underwriters’ counsel representing the Underwriters in connection with the sale and purchase of that Series of Bonds.

“Variable Rate Bonds” means Bonds which are issued at rates subject to change from time to time, payable from time to time, and subject to various options for tender by the owners thereof, as more fully provided for herein.

“Yield to Maturity” means (i) for any Capital Appreciation Bond, the approximate yield to maturity borne by such Bond and (ii) for any Convertible CAB, the approximate yield borne by such Bond to the date of its conversion to a Current Interest Bond.

C. For all purposes of this Ordinance, except as otherwise expressly provided herein or unless the context otherwise requires:

1. The terms defined in this Section or elsewhere in this Ordinance have the meanings assigned to them and include the plural as well as the singular (or vice-versa).
2. All accounting terms not otherwise defined herein have the meanings assigned to them, and all computations herein provided for shall be made, in accordance with generally accepted accounting principles for municipal enterprise funds.
3. All references in this Ordinance to designated "Sections" and other subdivisions are to the designated Sections and other subdivisions of this Ordinance as originally adopted.
4. The words "herein," "hereof" and "hereunder" and other words of similar import refer to this Ordinance as a whole and not to any particular Section or other subdivision.
5. The table of contents preceding and headings in this Ordinance are for the convenience of the reader and are not a part of this Ordinance.

Sec. 2. Findings.

The Corporate Authorities hereby find that it is necessary and in the best interests of the County that the County provide for each of the Projects and for the Refunding (together, the "*Purposes*"); that each of the Purposes is expressly authorized under the Act, and that the Bonds be issued to enable the County to pay the costs of the Purposes. The Corporate Authorities hereby find that all of the recitals contained in the preambles to this Ordinance are full, true and correct and do hereby incorporate them into this Ordinance by this reference. It is hereby found and determined that the Corporate Authorities have been authorized by law to borrow upon the credit of the County and as evidence of such indebtedness to issue at this time one or more Series of Bonds to pay the costs of the Purposes. It is hereby found and determined that such borrowing of money pertains to the government and affairs of the County, is necessary for the welfare of the government and affairs of the County, is for a proper public purpose or purposes and is in the public interest, and is authorized pursuant to the Act; and these findings and determinations shall be deemed conclusive. The authority to issue the Bonds is the Act, and the Bonds shall be issued pursuant to the Act.

Sec. 3. Bond Details.

To pay the costs of the Purposes, the Bonds shall be issued from time to time in one or more Series, all as may be determined by the Chief Financial Officer, *provided that* (i) the aggregate principal amount of any Refunding Bonds issued pursuant to this Ordinance shall not exceed \$425,000,000 less the aggregate principal amount, if any, of the Insurance Reserve Project Bonds issued pursuant to this Ordinance; (ii) the aggregate principal amount of the Insurance Reserve Project Bonds, if any, issued pursuant to this Ordinance shall not exceed \$60,000,000; (iii) the aggregate principal amount of the Restructuring Project Bonds, if any, issued pursuant to this Ordinance shall not exceed \$120,000,000, and (iv) the aggregate principal amount of the Capital Project Bonds, if any, issued pursuant to this Ordinance shall not exceed \$295,000,000, *provided* such authorized aggregate amount of Capital Project Bonds, if any, shall be subject to reduction to the amount necessary to pay the costs of the Capital Projects as may be hereafter approved by the Corporate Authorities for the Capital Projects, plus capitalized interest, if any, and costs of issuance. The Bonds shall be designated substantially as "General Obligation [Variable Rate Demand] [Refunding] [Capital Appreciation] Bonds, Series 201___," with such additions or modifications as shall be determined to be necessary by the Chief Financial Officer at the time of the sale

of the Bonds to reflect the purpose of the issue, the order of sale of the Bonds, whether the Bonds are Current Interest Bonds, Variable Rate Bonds, Capital Appreciation Bonds or Convertible CABs, and any other authorized features of the Bonds determined by the Chief Financial Officer as desirable to be reflected in the title of the Bonds being issued and sold.

Provided that no Bond shall be dated later than November 30, 2014, (i) any Bonds issued as Current Interest Bonds shall be dated as of August 1, 2011, or such later date at or prior to the date of issuance thereof as may be provided in the relevant Bond Order, (ii) any Bonds issued as Capital Appreciation Bonds shall be dated the date of issuance thereof, and (iii) any Bonds issued as Variable Rate Bonds shall be dated such date not earlier than August 1, 2011, and not later than the date of issuance thereof, as shall be provided in the relevant Indenture (any such date for any Bonds being a “Dated Date”).

All Bonds (i) shall also bear the date of authentication, (ii) shall be in fully registered form, (iii) shall be issued in Book Entry Form, (iv) shall be in Authorized Denominations as provided in the relevant Bond Order or Indenture (but no single Bond shall represent installments of principal or Compound Accreted Value maturing on more than one date), (v) shall be numbered 1 and upward within each Series, (vi) shall bear interest at the rates percent per annum and (vii) shall mature serially or as Term Bonds (subject as hereinafter provided with respect to prior redemption) on November 15 (or such other date as may be provided in the relevant Bond Order or Indenture) of the years and in the amounts as provided in the relevant Bond Order or Indenture, subject to the limitations set forth below.

All or any portion of the Bonds may be issued as Current Interest Bonds.

All or any portion of the Bonds may be issued as Capital Appreciation Bonds. Each Original Principal Amount of Capital Appreciation Bonds shall represent a Maturity Amount of \$5,000 or any integral multiple thereof.

All or any portion of the Bonds may be initially issued as Convertible CABs. While in the form of Capital Appreciation Bonds, Bonds issued as Convertible CABs shall be subject to all of the provisions and limitations of this Ordinance relating to Capital Appreciation Bonds, and while in the form of Current Interest Bonds, Bonds issued as Convertible CABs shall be subject to all of the provisions and limitations of this Ordinance relating to Current Interest Bonds. In particular, when Convertible CABs are in the form of Capital Appreciation Bonds prior to their conversion to Current Interest Bonds, the transfer, exchange and replacement provisions of this Ordinance with respect to Capital Appreciation Bonds shall apply to such Convertible CABs; *provided* that the Convertible CABs delivered in the form of Capital Appreciation Bonds in connection with any such transfer, exchange or replacement shall have identical provisions for conversion to Current Interest Bonds as set forth in the Convertible CABs being transferred, exchange or replaced. In connection with the issuance and sale of any Convertible CABs, the terms and provisions relating to the conversion of the Compound Accreted Value of such Convertible CABs into Current Interest Bonds shall be as approved by the Chief Financial Officer at the time of sale of such Convertible CABs.

All or any portion of the Bonds may be issued as Variable Rate Bonds. Any Variable Rate Bonds shall be subject to the provisions of the Indenture for same, to be by and between the County and the Trustee. The President or the Chief Financial Officer is hereby authorized to enter into any Indenture on behalf of the County. Any Indenture shall be in substantially the form of trust indentures previously entered into by the County in connection with the sale of variable rate general obligation bonds or notes, but with such revisions in text as the President or the Chief Financial Officer shall determine are necessary or desirable, the execution thereof by the President or the Chief Financial Officer to evidence the approval by the Corporate Authorities of all such revisions.

All or any portion of the Bonds may be issued as Tax Exempt or not Tax Exempt or as Tax Advantaged Bonds as the Designated Officers shall determine upon consultation with Bond Counsel and as shall be provided in a relevant Bond Order.

All Bonds shall become due and payable as provided in the relevant Bond Order, *provided, however*, that no Bond shall have a Stated Maturity which is later than the date which is thirty (30) years after its Dated Date.

The Current Interest Bonds and the Variable Rate Bonds shall bear interest at a rate or rates percent per annum, and any Capital Appreciation Bonds shall have Yields to Maturity, not to exceed ten percent (10.0%) per annum, and no Capital Appreciation Bond shall have a Yield to Maturity in excess of ten percent (10.0%) per annum. The Current Interest Bonds and the Variable Rate Bonds shall bear interest at the rate or rates percent per annum and the Capital Appreciation Bonds shall have Yields to Maturity as provided in the relevant Bond Order or Indenture.

Each Current Interest Bond shall bear interest from the later of its Dated Date or the most recent interest payment date to which interest has been paid or duly provided for, until the principal amount of such Bond is paid, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable, subject to the provisions of any Bond Order, on each May 15 and November 15, commencing on such May 15 or November 15 as determined by the Chief Financial Officer in the Bond Order therefore.

Each Capital Appreciation Bond shall bear interest from its Dated Date at the rate percent per annum compounded semiannually, subject to the provisions of any Bond Order, on each May 15 and November 15, commencing on such May 15 or November 15 as determined by the Chief Financial Officer in the Bond Order therefore, which will produce the Yield to Maturity until the Stated Maturity thereof or conversion date to Current Interest Bonds. Interest on the Capital Appreciation Bonds shall be payable only at Stated Maturity.

Each Variable Rate Bond shall bear interest (computed from time to time on such basis and payable in such manner as shall be set forth in the Indenture therefore) payable on such dates as shall be set forth in the Indenture therefore. Any Variable Rate Bonds may be made subject to optional or mandatory tender for purchase by the owners thereof at such times and at such prices (not to exceed one hundred and three percent (103.00%) of the principal amount thereof) as shall be set forth in the Indenture therefore. In connection with the remarketing of any Variable Rate Bonds tendered for purchase under the terms and conditions so specified by the Chief Financial Officer, the President and the Chief Financial Officer are each hereby authorized to execute on behalf of the County a remarketing agreement with a remarketing agent or agents, as identified in the relevant Indenture, in customary form at customary fees used for variable rate financings of the County with appropriate revisions to reflect the terms and provisions of the Bonds sold as Variable Rate Bonds and such other revisions in text as the Chief Financial Officer shall determine are necessary or desirable in connection with the sale of the Bonds as Variable Rate Bonds.

So long as the Bonds are held in Book Entry Form, interest on each Bond shall be paid to the Depository by check or draft or electronic funds transfer, in lawful money of the United States of America, as may be agreed in the Representations Letter; in the event the Bonds should ever become available in physical form to registered owners other than the Depository, interest on each Bond shall be paid by check or draft of the Trustee, payable upon presentation thereof in lawful money of the United States of America, or by electronic funds transfer of lawful money of the United States of America, as may be provided, to the person in whose name such Bond is registered at the close of business on the

applicable Regular Record Date, and mailed to the address or transferred to such account of such registered owner as it appears on the Bond Register or at such other address or account as may be furnished in writing to the Trustee.

Principal of and premium (if any) on each Current Interest Bond and Variable Rate Bond and the Compound Accreted Value of each Capital Appreciation Bond shall be paid upon surrender in lawful money of the United States of America, at the principal office maintained for the purpose by the Trustee or its proper agent.

The Bonds shall have impressed or imprinted thereon the corporate seal or facsimile thereof of the County and shall be signed by the manual or duly authorized facsimile signatures of the President and County Clerk, as they shall determine, and in case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

All Bonds shall have thereon a certificate of authentication substantially in the form hereinafter set forth duly executed by the Trustee as authenticating agent of the County and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Ordinance unless and until such certificate of authentication shall have been duly executed by the Trustee by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Ordinance. The certificate of authentication on any Bond shall be deemed to have been executed by the Trustee if signed by an authorized officer of the Trustee, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder.

Sec. 4. Book-Entry Provisions.

The Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities of each Series of the Bonds. Upon initial issuance, the ownership of each such Bond shall be registered in the Bond Register in such name as may be provided by the Depository (the "*Book Entry Owner*") and, accordingly, in Book Entry Form as provided and defined herein. Any Designated Officer is authorized to execute a Representations Letter or to utilize the provisions of an existing Representations Letter. Without limiting the generality of the authority given with respect to entering into the Representations Letter for the Bonds, it may contain provisions relating to (i) payment procedures, (ii) transfers of the Bonds or of beneficial interests therein, (iii) redemption notices and procedures unique to the Depository, (iv) additional notices or communications, and (v) amendment from time to time to conform with changing customs and practices with respect to securities industry transfer and payment practices. With respect to Bonds registered in the Bond Register in the name of the Book Entry Owner, neither the County nor the Trustee shall have any responsibility or obligation to any broker-dealer, bank, or other financial institution for which the Depository holds Bonds from time to time as securities depository (each such broker-dealer, bank, or other financial institution being referred to herein as a "*Depository Participant*") or to any person on behalf of whom such a Depository Participant holds an interest in the Bonds. Without limiting the meaning of the immediately preceding sentence, neither the County nor the Trustee shall have any responsibility or obligation with respect to (a) the accuracy of the records of the Depository, the Book Entry Owner, or any Depository Participant with respect to any ownership interest in the Bonds; (b) the delivery to any Depository Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register or as expressly provided in the Representations Letter, of any notice with respect to the Bonds, including any notice of redemption; or (c) the payment to any Depository Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register, of any amount with respect to principal of or interest on, or Maturity Amount of, the Bonds. No person other than a registered owner of a Bond as shown in the Bond Register

shall receive a Bond certificate with respect to any Bond. In the event that (x) the County determines that the Depository is incapable of discharging its responsibilities described herein or in the Representations Letter, (y) the agreement among the County and the Depository evidenced by the Representations Letter shall be terminated for any reason, or (z) the County determines that it is in the best interests of the County or of the beneficial owners of the Bonds that they be able to obtain certificated Bonds; the County shall notify the Depository of the availability of Bond certificates, and the Bonds shall no longer be restricted to being registered in the Bond Register to the Book Entry Owner. The County may determine at such time that the Bonds shall be registered in the name of and deposited with a successor depository operating a book entry only system, as may be acceptable to the County, or such depository's agent or designee, but if the County does not select such successor depository, then the Bonds shall be registered in whatever name or names registered owners of Bonds transferring or exchanging Bonds shall designate, in accordance with the provisions hereof.

Sec. 5. Redemption.

A. MANDATORY REDEMPTION. If so provided in the relevant Bond Order or Indenture, any Bonds may be issued as Term Bonds and be subject to mandatory redemption by operation of the Bond Fund, in the case of Current Interest Bonds or Variable Rate Bonds, at a price of par, without premium, plus accrued interest to the date fixed for redemption, and in the case of Capital Appreciation Bonds at a price of Compound Accreted Value calculated to the date fixed for redemption, on November 15 (or such other date as may be provided in the relevant Bond Order) of the years and in the amounts and subject to such provisions as shall be set forth in the relevant Bond Order. The County covenants that it will redeem Term Bonds pursuant to the mandatory redemption requirement for such Term Bonds and provide Pledged Taxes accordingly.

In connection with any mandatory redemption of Bonds as authorized above, the principal amounts of such Bonds to be mandatorily redeemed in each year may be reduced through the earlier optional redemption thereof, with any partial optional redemptions of such Bonds credited against future mandatory redemption requirements in such order of the mandatory redemption dates as the Chief Financial Officer may determine. In the absence of such determination, partial optional redemptions of such Bonds shall be credited against future mandatory redemption requirements in inverse chronological order of such payments beginning with the amount scheduled to become due at Stated Maturity, then the amount subject to mandatory redemption in the year preceding Stated Maturity, and so on. In addition, on or prior to the sixtieth (60th) day preceding any mandatory redemption date, the Trustee may, and if directed by the Chief Financial Officer shall, purchase Bonds of such maturities in an amount not exceeding the amount of such Bonds required to be retired on such mandatory redemption date and at a price not exceeding par plus accrued interest. Any such Bonds so purchased shall be cancelled and the principal amount thereof shall be credited against the payment required on such next mandatory redemption date.

The County shall provide the Trustee with written notice of such reduction, which notice shall be given within thirty (30) days after such redemption or purchase, and the Trustee shall promptly give written notice of the same to the Bondholders, in the manner hereinafter provided.

B. OPTIONAL REDEMPTION. If so provided in the relevant Bond Order or Indenture, any Bonds may be redeemable prior to maturity at the option of the County, in whole or in part on any date, at such times and at such optional redemption prices as shall be determined by the Chief Financial Officer at the time of the sale thereof. Such optional redemption prices shall be expressed as (i) a percentage of the principal amount of Current Interest Bonds or Variable Rate Bonds to be redeemed or as a percentage of the Compound Accreted Value of Capital Appreciation Bonds to be redeemed, provided that such percentage shall not exceed one hundred three percent (103.00%), plus, in the case of Current Interest

Bonds or Variable Rate Bonds, accrued interest to the date of redemption or (ii) a “make-whole” redemption price or (iii) an “extraordinary” redemption price or (iv) any other redemption price as shall then be customary and appropriate for Tax Advantaged Bonds and as shall be determined by the Chief Financial Officer at the time of sale of such Tax Advantaged Bonds. The terms and provisions for any “make-whole” redemption or any “extraordinary redemption” shall be confirmed by the Chief Financial Officer on such dates and to such parties as shall be necessary to effectuate such make-whole redemption or such extraordinary redemption. The terms and provisions for any redemption of Variable Rate Bonds shall be as determined by the Chief Financial Officer at the time of sale of the Bonds and as set forth in a relevant Indenture, *provided* that such terms shall be within the limitations set forth in this Section.

If less than all of the Outstanding Bonds of a Series are to be optionally redeemed, the Bonds to be called shall be called from such Series, in such principal amounts and from such maturities as may be determined by the County and within any maturity in the manner hereinafter provided.

C. REDEMPTION PROCEDURE. The Bonds subject to redemption shall be identified, notice given, and paid and redeemed pursuant to the procedures as follows.

1. *Redemption Notice.* For a mandatory redemption of Term Bonds, unless otherwise notified by the County, the Trustee shall proceed to redeem the Term Bonds without any further order or direction from the County hereunder or otherwise. For an optional redemption, the County shall, at least forty-five (45) days prior to any optional redemption date (unless a shorter time period shall be satisfactory to the Trustee), notify the Trustee of such redemption date and of the principal amount and maturities of Bonds to be redeemed.
2. *Selection of Bonds within a Maturity.* Current Interest Bonds shall be redeemed only in the principal amount of \$5,000 each and integral multiples thereof, and Capital Appreciation Bonds shall be redeemed only in amounts representing \$5,000 Maturity Amount and integral multiples thereof. For purposes of any redemption of less than all of the Bonds of a single maturity, the particular Bonds or portions of Bonds to be redeemed shall be selected by lot by the Trustee for the Bonds of such maturity by such method of lottery as the Trustee shall deem fair and appropriate; *provided*, that such lottery shall provide for the selection for redemption of Bonds or portions thereof so that each \$5,000 principal amount or Maturity Amount (as appropriate) of such Bond shall be as likely to be called for redemption as any other such \$5,000 Bond or \$5,000 portion. The Trustee shall make such selection (a) upon or prior to the time of the giving of official notice of redemption, or (b) in the event of a refunding or defeasance, upon advice from the County that certain Bonds have been refunded or defeased and are no longer Outstanding as defined.

Alternatively, if so provided in the relevant Bond Order or Indenture, for purposes of any redemption of less than all of the Bonds of a single maturity, the particular Bonds or portions of Bonds to be redeemed shall be selected by the Trustee pro rata based upon a fraction the numerator of which is the principal amount of Bonds to be redeemed on a given date and the denominator of which is the aggregate principal amount of such Series of Bonds and of the given Stated Maturity remaining unpaid immediately prior to such redemption. If the Bonds are held in Book Entry Form at the time of such redemption, the County shall direct the Trustee to instruct the Depository to select the specific Bonds within such maturity for redemption pro rata among such Bonds, which redemption may

utilize the Depository's current pro rata pass-through distribution of principal procedure or similar or substituted procedure promulgated from time to time. If while in Book Entry Form the Depository has no procedure for pro rata redemption, then such partial redemption shall be accomplished by lot, as described above. The County and the Trustee shall have no responsibility or obligation to insure that the Depository properly selects such Bonds for redemption.

3. *Official Notice of Redemption.* The Trustee shall promptly notify the County in writing of the Bonds or portions of Bonds selected for redemption and, in the case of any Bond selected for partial redemption, the principal amount thereof to be redeemed. Unless waived by the registered owner of Bonds to be redeemed, official notice of any such redemption shall be given by the Trustee on behalf of the County by mailing the redemption notice by first class U.S. mail not less than thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption to each registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Trustee. All official notices of redemption shall include the name of the Bonds and at least the information as follows:
 - (a) the redemption date;
 - (b) the redemption price, or for any optional redemption utilizing a make-whole redemption provision, a description of the formula by which the redemption price shall be determined;
 - (c) if less than all of the outstanding Bonds of a Series and of a particular maturity are to be redeemed, the identification (and, in the case of partial redemption of Bonds of a Series within such maturity, the respective principal amounts) of the Bonds to be redeemed;
 - (d) a statement that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after said date; and
 - (e) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the office designated for that purpose of the Trustee.
4. *Conditional Redemption.* Unless moneys sufficient to pay the redemption price of the Bonds to be redeemed shall have been received by the Trustee prior to the giving of such notice of redemption, such notice may, at the option of the County, state that said redemption shall be conditional upon the receipt of such moneys by the Trustee on or prior to the date fixed for redemption. If such moneys are not received, such notice shall be of no force and effect, the County shall not redeem such Bonds, and the Trustee shall give notice, in the same manner in which the notice of redemption was given, that such moneys were not so received and that such Bonds will not be redeemed.

5. *Bonds Shall Become Due.* Official notice of redemption having been given as described, the Bonds or portions of Bonds so to be redeemed shall, subject to the stated condition in paragraph 4. immediately preceding, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the County shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Trustee at the redemption price. The procedure for the payment of interest due as part of the redemption price shall be as herein provided for payment of interest otherwise due.
6. *Insufficiency in Notice Not Affecting Other Bonds; Failure to Receive Notice; Waiver.* Neither the failure to mail such redemption notice, nor any defect in any notice so mailed, to any particular registered owner of a Bond, shall affect the sufficiency of such notice with respect to other registered owners. Notice having been properly given, failure of a registered owner of a Bond to receive such notice shall not be deemed to invalidate, limit or delay the effect of the notice or redemption action described in the notice. Such notice may be waived in writing by a registered owner of a Bond entitled to receive such notice, either before or after the event, and such waiver shall be the equivalent of such notice. Waivers of notice by registered owners shall be filed with the Trustee, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver. *In lieu of the foregoing official notice, so long as the Bonds are held in book entry form, notice may be given as provided in the Representation Letter, and the giving of such notice shall constitute a waiver by the Depository and the book entry owner, as registered owner, of the foregoing notice. After giving proper notification of redemption to the Trustee, as applicable, the County shall not be liable for any failure to give or defect in notice.*
7. *New Bond in Amount Not Redeemed.* Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of like Series and tenor, of Authorized Denominations, of the same maturity, and bearing the same rate of interest in the amount of the unpaid principal.
8. *Effect of Nonpayment upon Redemption.* If any Bond or portion of Bond called for redemption shall not be so paid upon surrender thereof for redemption, in the case of Current Interest Bonds, the principal shall, until paid, bear interest from the redemption date at the rate borne by the Bond or portion of Bond so called for redemption; in the case of Variable Rate Bonds, the principal shall, until paid, bear interest as provided in a relevant Indenture; and, in the case of Capital Appreciation Bonds, the Compound Accreted Value at such redemption date shall continue to accrue interest from such redemption date at the Yield to Maturity borne by such Capital Appreciation Bond, or portion thereof, so called for redemption.
9. *Bonds to Be Cancelled; Payment to Identify Bonds.* All Bonds which have been redeemed shall be cancelled and destroyed by the Trustee and shall not be reissued. Upon the payment of the redemption price of Bonds being redeemed, each check or other transfer of funds issued for such purpose shall bear the

CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer.

10. *Additional Notice.* The County agrees to provide such additional notice of redemption as it may deem advisable at such time as it determines to redeem Bonds, taking into account any requirements or guidance of the Securities and Exchange Commission, the Municipal Securities Rulemaking Board, the Government Accounting Standards Board, or any other federal or state agency having jurisdiction or authority in such matters; *provided, however*, that such additional notice shall be (a) advisory in nature, (b) solely in the discretion of the County (unless a separate agreement shall be made), (c) not be a condition precedent of a valid redemption or a part of the Bond contract, and (d) any failure or defect in such notice shall not delay or invalidate the redemption of Bonds for which proper official notice shall have been given. Reference is also made to the provisions of the Continuing Disclosure Undertaking of the County with respect to the Bonds, which may contain other provisions relating to notice of redemption of Bonds.
11. *Trustee to Advise County.* As part of its duties hereunder, the Trustee shall prepare and forward to the County a statement as to notices given with respect to each redemption together with copies of the notices as mailed.

Sec. 6. Registration Of Bonds; Persons Treated As Owners; Bonds Lost, Destroyed, Etc

The County shall cause the Bond Register to be kept at the office maintained for the purpose by the Trustee, which is hereby constituted and appointed the Registrar of the County. The County is authorized to prepare, and the Trustee shall keep custody of, multiple Bond blanks executed by the County for use in the transfer and exchange of Bonds.

Subject to the provisions hereof relating to the Bonds in Book Entry Form, any Bond may be transferred or exchanged, but only in the manner, subject to the limitations of and upon payment of the charges as set forth in this Ordinance. Upon surrender for transfer of any Bond at the office maintained for the purpose by the Trustee, duly endorsed by, or accompanied by a written instrument or instruments of transfer in form satisfactory to the Trustee and duly executed by, the registered owner or his or her attorney duly authorized in writing, the County shall execute and the Trustee shall authenticate, date and deliver in the name of the transferee or transferees (i) in the case of any Capital Appreciation Bond, a new fully registered Capital Appreciation Bond or Bonds of the same Series and of the same Stated Maturity of Authorized Denominations, for a like aggregate Original Principal Amount or (ii) in the case of any Current Interest Bond or Variable Rate Bond, a new fully registered Bond or Bonds of the same Series of the same tenor, of the same interest rate and Stated Maturity, of Authorized Denominations, for a like aggregate principal amount. Subject to the provisions of this Ordinance relating to Book Entry Form any Capital Appreciation Bond or Bonds may be exchanged at said office of the Trustee or its proper agent for a like aggregate Original Principal Amount of Capital Appreciation Bond or Bonds of the same Series and maturity of other Authorized Denominations; and any fully registered Current Interest Bond or Bonds or Variable Rate Bond or Bonds may be exchanged at said office of the Trustee or its proper agent for a like aggregate principal amount of such Bonds of the same tenor, of the same Series, interest rate and Stated Maturity, of other Authorized Denominations.

The Trustee shall not be required to transfer or exchange any Bond during the period from the close of business on the Regular Record Date for an interest payment to the opening of business on such interest payment date or during the period of fifteen (15) days preceding the giving of notice of

redemption of Bonds or to transfer or exchange any Bond all or a portion of which has been called for redemption.

The execution by the County of any fully registered Bond shall constitute full and due authorization of such Bond, and the Trustee or its proper agent shall thereby be authorized to authenticate, date and deliver such Bond in accordance with the terms of this Ordinance and of any Indenture; *provided, however*, the principal amount of Bonds of each Series and maturity authenticated by the Trustee shall not at any one time exceed the authorized principal amount of Bonds for such Series and maturity less the amount of such Bonds which have been paid.

The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of, premium (if any) or interest on or any Maturity Amount of any Bond shall be made only to or upon the order of the registered owner thereof or his or her legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Bonds, but the County or the Trustee may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds exchanged in the case of the issuance of a Bond or Bonds for the outstanding portion of a Bond surrendered for redemption.

If any Bond, whether in temporary or definitive form, is lost (whether by reason of theft or otherwise), destroyed (whether by mutilation, damage, in whole or in part, or otherwise) or improperly cancelled, the Trustee or its proper agent may authenticate a new Bond of like Series, date, maturity date, interest rate (or, in the case of Capital Appreciation Bonds, Yield to Maturity), denomination and Original Principal Amount (in the case of Capital Appreciation Bonds) or principal amount (in the case of other Bonds) and bearing a number not contemporaneously outstanding; *provided* that (a) in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the Trustee, and (b) in the case of any lost Bond or Bond destroyed in whole, there shall be first furnished to the Trustee evidence of such loss or destruction, together with indemnification of the County and the Trustee, satisfactory to the Trustee. In the event any lost, destroyed or improperly cancelled Bond shall have matured or is about to mature, or has been called for redemption, instead of issuing a duplicate Bond, the Trustee shall pay the same without surrender thereof if there shall be first furnished to the Trustee evidence of such loss, destruction or cancellation, together with indemnity, satisfactory to it. Upon the issuance of any substitute Bond, the Trustee may require the payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto.

Sec. 7. Security.

The full faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of, interest on and Maturity Amount of the Bonds. The Bonds shall be direct and general obligations of the County and the County shall be obligated and hereby covenants and agrees to levy ad valorem taxes upon all the taxable property in the County for the payment of the Bonds and the interest thereon, without limitation as to rate or amount. The County hereby pledges, as equal and ratable security for the Bonds, all present and future proceeds of the Pledged Taxes on deposit in the Bond Fund for the sole benefit of the registered owners of the Bonds, subject to the right, hereby expressly reserved by the County, to transfer certain interest income or investment profit earned in the Bond Fund to other funds of the County.

Sec. 8. Forms of Bonds.

The Current Interest Bonds and the Capital Appreciation Bonds shall be in substantially the forms hereinafter set forth; *provided, however*, that if the text of the Bonds is to be printed in its entirety on the front side of the Bonds, then the second paragraph on the front side and the legend "See Reverse Side for Additional Provisions" shall be omitted and the text of paragraphs set forth for the reverse side shall be inserted immediately after the first paragraph. The Convertible CABs shall be prepared incorporating the provisions of the forms of Current Interest Bonds and Capital Appreciation Bonds set forth below as necessary to reflect the terms and provisions of the sale of the Convertible CABs pursuant to Section 11 hereof. Variable Rate Bonds shall be prepared in substantially the form provided in the relevant Indenture.

Sec. 9. Taxes Levied; Payment of Principal, Premium and Interest; Covenants re Pledged Taxes; Ordinance and Bond Orders to be Filed; Abatement.

A. Taxes Levied. For the purpose of providing the funds required to pay the principal of and interest on, or Maturity Amount of, the Bonds promptly as the same become due, there is hereby levied upon all taxable property in the County, a direct annual tax sufficient for those purposes in addition to all other taxes, for the years and in the amounts as shall be provided in each relevant Bond Order, which amounts, when aggregated with (i) for any Series of Refunding Bonds, the receipts, if any, of taxes levied and collected for the payment of Refunded Bonds, (ii) any accrued interest received on the sale of a Series of Bonds, and (iii) any proceeds of a Series of Bonds available to pay capitalized interest on said Series of Bonds, shall be sufficient to pay principal of and interest on the Bonds. For this purpose, interest to accrue on Variable Rate Bonds shall be deemed to be that rate which, in the reasonable estimation of the Chief Financial Officer as he or she may from time to time determine, will be sufficient to pay principal of and interest on such Variable Rate Bonds when due.

B. Payment of Principal, Interest and Maturity Amount. Subject to the right reserved by the County under Section 7 of this Ordinance to transfer investment income, the Bond Moneys shall be applied by the Trustee to pay principal of and interest on, or Maturity Amount of, the Bonds.

Principal of and interest on, or Maturity Amount of, the Bonds coming due at any time when there are insufficient funds on hand from the Pledged Taxes to pay the same shall be paid promptly when due from current funds on hand in advance of the collection of the Pledged Taxes herein levied which funds are hereby appropriated for such purpose as necessary; and when the Pledged Taxes shall have been collected, reimbursement shall be made to said funds in the amount so advanced.

C. Covenants re Pledged Taxes. The County covenants and agrees with the purchasers and registered owners of the Bonds that so long as any of the Bonds remain outstanding, the County will take no action or fail to take any action which in any way would adversely affect the ability of the County to levy and collect the Pledged Taxes. The County and its officers will comply with all present and future applicable laws in order to assure that the Pledged Taxes may be levied, extended and collected as provided herein and deposited into the Bond Fund. With respect to Variable Rate Bonds, in furtherance of the general obligation full faith and credit pledge of the County to the punctual payment of the principal of and interest on the Bonds set forth in Section 7 of this Ordinance, the County will take all actions necessary to levy in addition to the taxes described above, any direct annual tax required in excess of that levied in this Ordinance for collection on a timely basis to make all payments of the principal of and interest on such Variable Rate Bonds.

D. Ordinance and Bond Orders to be Filed. A copy of this Ordinance, together with a subsequent copy of each Bond Order, duly certified by the County Clerk, shall be filed in the office of the County Clerk, and such filings shall constitute the authority for and it shall be the duty of said County Clerk, in each year as aforesaid, to extend the taxes levied pursuant to this Section and said Bond Order(s)

for collection, such taxes to be in addition to and in excess of all other taxes heretofore or hereafter authorized to be levied by the County on its behalf.

E. Abatement. Whenever and only when other funds from any lawful source are made available for the purpose of paying any principal of and interest on, or Maturity Amount of, the Bonds, so as to enable the abatement of the Pledged Taxes levied herein for the payment of same, the Corporate Authorities shall, by proper proceedings, direct the deposit of such funds into the Bond Fund and further shall direct the abatement of the Pledged Taxes by the amount so deposited. A certified copy or other notification of any such proceedings abating taxes may then be filed with the County Clerk in a timely manner to effect such abatement.

Except as may be otherwise provided in a relevant Bond Order or Indenture, at any time and from time to time as the Chief Financial Officer shall determine to be necessary or advisable, the Chief Financial Officer is hereby expressly authorized, without further official action of the Corporate Authorities, to abate any portion of the Pledged Taxes levied to pay principal of and interest on Variable Rate Bonds, in the event and to the extent that the Chief Financial Officer shall determine that the collection of such Pledged Taxes will not be necessary to provide for the timely payment of the principal of and interest on such Variable Rate Bonds. The filing with the County Clerk of a certificate of abatement, signed by the Chief Financial Officer, shall constitute due authorization for the County Clerk to effectuate such abatement.

Sec. 10. Powers as to Bonds and Pledge

The County is duly authorized to pledge the Pledged Taxes and other moneys, securities and funds purported to be pledged by this Ordinance in the manner and to the extent provided in this Ordinance. The Pledged Taxes and other moneys, securities and funds so pledged are and will be free and clear of any pledge, lien, charge or encumbrance thereon or with respect thereto prior to, or of equal rank with, the pledge created by this Ordinance. The County shall at all times, to the extent permitted by law, defend, preserve and protect the pledge of the Pledged Taxes and other moneys, securities and funds pledged under this Ordinance and all the rights thereto of the Bondholders under this Ordinance against all claims and demands of all persons whomsoever.

Sec. 11. Sale of the Bonds; Bond Orders; Financing Teams; Execution of Documents Authorized; Undertakings; Offering Materials; Credit Facilities; ISDA Documents

A. Sale of the Bonds. The Chief Financial Officer is hereby authorized to sell all or any portion of the several Series of the Bonds to the respective Underwriters from time to time on such terms as he or she may deem to be in the best interests of the County and may elect to designate all or any portion of the several Series of the Bonds as Tax Advantaged Bonds (or such other title or designation as the Chief Financial Officer shall deem appropriate at the time of sale) and to have such provisions under the Code or the Regulations as shall be required for such Tax Advantaged Bond status to apply to same; *provided* that (i) in each case the Purchase Price shall be at least ninety-eight percent (98%) of the proceeds of the Bonds (exclusive of any net original issue discount used in the marketing of the Bonds, not to exceed 10% of the principal amount thereof), plus accrued interest, if any, on the Bonds from their Dated Date to the date of their issuance, (ii) the aggregate amount of principal of and interest on and Maturity Amount of the Bonds (based, for Variable Rate Bonds, on the reasonable estimate of the Chief Financial Officer as hereinabove provided) in any year shall not exceed the aggregate amount levied therefore pursuant hereto plus capitalized interest, if any, and (iii) as an additional limitation on the sale of the Refunding Bonds, incidental to the sale of any Series of Refunding Bonds, the Financial Advisor must provide a certificate or report setting forth that (a) the Refunding will provide a present value debt service savings to the County resulting from the issuance of Refunding Bonds to refund each maturity, or part of

a maturity, of the Refunded Bonds which are chosen to be refunded, which report shall demonstrate that the County will realize a minimum net present value savings of three percent (3.00%) of the debt service on the Refunded Bonds being refunded or (b) the Refunding will restructure the debt service burden of the County. The Bonds may be sold from time to time as the Chief Financial Officer shall determine that the proceeds of such sales are needed. Nothing contained in this Ordinance shall limit the sale of the Bonds or any maturity or maturities thereof at a price or prices in excess of the principal amount thereof.

B. Bond Orders. Subsequent to each such sale of the Bonds, the Chief Financial Officer shall file in the office of the County Clerk a Bond Order directed to the Corporate Authorities identifying (i) the terms of the sale, (ii) the amount of the Bonds being sold as Capital Appreciation Bonds, Convertible CABs or Current Interest Bonds, (iii) the amount of Bonds being sold as Variable Rate Bonds and attaching the related Indenture or Indentures, (iv) the Dated Date of the Bonds sold, (v) the aggregate principal amount of Bonds sold, (vi) the principal amount of Bonds maturing and subject to mandatory redemption in each year, (vii) the optional redemption provisions applicable to the Bonds sold, (viii) the specific maturities and principal amounts of Refunded Bonds to be refunded with the proceeds of the Bonds sold, (ix) the date on and price at which the Refunded Bonds shall be redeemed (if such redemption shall occur prior to the maturity date thereof or pursuant to mandatory redemption, (x) the financing team, including each Bond Counsel, Financial Advisor, Trustee and Underwriter and, for each Series of Refunding Bonds, the Escrow Agent or Escrow Agents designated in connection with the Refunding of the relevant Refunded Bonds, (xi) with respect to any Capital Appreciation Bonds being sold, the Original Principal Amounts of and Yields to Maturity on such Capital Appreciation Bonds and a table of Compound Accreted Values per \$5,000 Compound Accreted Value at Maturity for such Capital Appreciation Bonds, setting forth the Compound Accreted Value of each such Capital Appreciation Bond on each semiannual compounding date, (xii) the interest rate or rates on any Current Interest Bonds sold, or, in the case of any series of Variable Rate Bonds the estimated rate used to determine the Pledged Taxes for such Variable Rate Bonds and a description (which shall be in the relevant Indenture therefore) of the methods of determining the interest rate applicable to such Variable Rate Bonds from time to time and the identity of any remarketing agent retained in connection with the issuance of Variable Rate Bonds, (xiii) the identity of any Insurer, (xiv) the portion, if any, of the Bonds which are not Tax Exempt, (xv) the portion, if any, of the Bonds which are Tax Advantaged Bonds, (xvi) the identity of any provider of a Credit Facility, and (xvii) the information regarding the title and Series designation of the Bonds, together with any other matter authorized by this Ordinance to be determined by the Chief Financial Officer at the time of sale of the Bonds, and thereafter the Bonds so sold shall be duly prepared and executed in the form and manner provided herein and delivered to the respective Underwriters in accordance with the terms of sale.

C. Financing Team Approved. The selection of the following party or parties in the capacity as indicated is hereby expressly approved:

<u>Capacity</u>	<u>Party or Parties</u>
Senior Manager	William Blair & Company, L.L.C.
Co-Senior Manager	Cabrera Capital Markets, LLC
Co-Managers	BMO Capital Markets
	Goldman Sachs & Co.
	Mesirow Financial, Inc.
	Loop Capital Markets, LLC
	Melvin & Company, LLC
	Podesta & Co.
Bond Counsel	Chapman and Cutler LLP
Co-Bond Counsel	Sanchez Daniels & Hoffman LLP

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Financial Advisor
Underwriters' Counsel
Co-Underwriters' Counsel

A.C. Advisory, Inc.
Ungaretti & Harris LLP
Charity & Associates PC

The President and the Chief Financial Officer are hereby expressly authorized and directed to select for each Series of Bonds a Trustee and, for any Series of Refunding Bonds, one or more Escrow Agents and such other firms as necessary to effect the Refunding, their selection thereof to constitute approval by the Corporate Authorities without further official action by or direction from the Corporate Authorities. Each Trustee or Escrow Agent shall be a bank or corporate trust company having fiduciary powers.

D. Execution of Documents Authorized. Any Designated Officer and such other officers and officials of the County as may be necessary are hereby authorized to execute such documents, with appropriate revisions to reflect the terms and provisions of the Bonds of each Series and this Ordinance and such other revisions in text as the President or the Chief Financial Officer shall determine are necessary or desirable in connection with the sale of the Bonds, as may be necessary to implement the Projects and the Refunding and to effect the issuance and delivery and maintenance of the status of the Bonds, including but not limited to:

(i) those certain contracts of purchase (each, a "*Purchase Contract*") by and between the County and the Underwriters, which Purchase Contracts shall be in form acceptable to the Chief Financial Officer and as customarily entered into by the County;

(ii) as necessary in connection with any Refunding, those certain Escrow Agreements by and between the County and the Escrow Agent or Escrow Agents, such agreements to be provided by Bond Counsel, which Escrow Agreements shall be in form acceptable to the Chief Financial Officer and as customarily entered into by the County;

(iii) as necessary in connection with the issuance of any Series of Variable Rate Bonds, one or more Indentures, which Indentures shall be in form acceptable to the Chief Financial Officer and as customarily entered into by the County;

(iv) those certain Continuing Disclosure Undertakings, each as approved by the Chief Financial Officer and each in form customarily used by the County, to effect compliance with Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934;

(v) such certification, tax returns and documentation as may be required by Bond Counsel, including, specifically, a tax agreement, to render their opinions as to the Tax Exempt status of the interest on any Tax Exempt Bonds or the qualification of a portion of the Bonds as Tax Advantaged Bonds pursuant to the Code;

(vi) such certification, tax returns and documentation as may be advised by Bond Counsel as appropriate, to establish and maintain the Tax Exempt status of the interest on any Tax Exempt Bonds and the qualification of any Bonds as Tax Advantaged Bonds pursuant to the Code; and

(vii) such certification, tax returns and documentation as may be advised by Bond Counsel as appropriate, to apply for and obtain any tax credits that may be available to the County as a result of any of the Bonds qualifying as Tax Advantaged Bonds pursuant to the Code;

and execution thereof by such Designated Officers, officers and officials is hereby deemed conclusive evidence of approval thereof with such changes, additions, insertions, omissions or deletions as such officers may determine, with no further official action of or direction by the Corporate Authorities.

E. Undertakings. When any Continuing Disclosure Undertaking is executed and delivered on behalf of the County, it will be binding on the County and the officers, agents, and employees of the County, and the same are hereby authorized and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of such Continuing Disclosure Undertaking as executed and delivered. Notwithstanding any other provisions hereof, the sole remedies for failure to comply with any Continuing Disclosure Undertaking shall be the ability of the beneficial owner of any Bond to seek mandamus or specific performance by court order, to cause to the County to comply with its obligations thereunder.

F. Offering Materials. The preparation, use and distribution of a preliminary official statement and an official statement relating to each sale and issuance of the Bonds are hereby ratified and approved. The President and Chief Financial Officer are each hereby authorized to execute and deliver an official statement relating to each sale and issuance of the Bonds on behalf of the County. The preliminary official statements and official statements herein authorized shall be in substantially the forms previously used for general obligation financings of the County with appropriate revisions to reflect the terms and provisions of the Bonds and to describe accurately the current condition of the County and the parties to the financing.

G. Credit Facilities; Policies. In connection with any sale of a Series of Bonds, the President or the Chief Financial Officer is hereby authorized to obtain a Credit Facility with one or more financial institutions. The President or the Chief Financial Officer is hereby authorized to enter into a reimbursement agreement and to execute and issue a promissory note in connection with the provisions of each Credit Facility. Any Credit Facility and any reimbursement agreement shall be in substantially the form of the credit facilities and reimbursement agreements previously entered into by the County in connection with the sale of general obligation bonds or notes, but with such revisions in text as the President or the Chief Financial Officer shall determine are necessary or desirable, the execution thereof by the President or the Chief Financial Officer to evidence the approval by the Corporate Authorities of all such revisions. The annual fee paid to any financial institution that provides a Credit Facility shall not exceed two percent (2.00%) of the average principal amount of such Bonds outstanding during such annual period. The final form of reimbursement agreement entered into by the County with respect to a Series of Bonds shall be attached to the relevant Bond Order filed with the County Clerk pursuant to this Section. Each such promissory note shall mature not later than the final maturity date of the Bonds and shall be a general obligation of the County for the payment of which, both principal and interest, the County pledges its full faith, credit and resources. Each such promissory note shall bear interest at a rate not exceeding 18 percent per annum. The President or the Chief Financial Officer is hereby authorized to execute and deliver each such reimbursement agreement, under the seal of the County affixed and attached by the County Clerk.

In connection with any sale of a Series of the Bonds, the President or the Chief Financial Officer is hereby further authorized to obtain a Policy from an Insurer if the Chief Financial Officer determines such Policy to be desirable in connection with such sale of such Series of Bonds or any portion thereof. The President or Chief Financial Officer is hereby expressly authorized, on behalf of the County, to make such customary covenants and agreements with such Insurer as are not inconsistent with the provisions of this Ordinance, as may be required by such bond insurer, including as follows:

(i) *Consent to Amendments.* That any provision of this Ordinance expressly recognizing or granting rights in or to any such Insurer or to Bondholders generally may not be amended in any manner which affects the rights of the Insurer or Bondholders generally without the prior written consent of the Insurer.

(ii) *Notices.* That the County may be required to furnish to the Bond Insurer information or notices.

(iii) *List of Permitted Investments.* That the investment of moneys in the various accounts of the Bond Fund or the Project Fund may be limited to such list of lawful investments as may be required by the Insurer; *provided, however*, such list shall include direct obligations of the United States of America and shares in the Public Treasurers' Investment Pool.

(iv) *Non-Defeasance and Subrogation.* That in the event that the principal and/or interest due on the Bonds shall be paid by the Insurer pursuant to a Policy, the Bonds shall remain outstanding for all purposes, not be defeased or otherwise satisfied and not be considered paid by the County, and the pledge of Pledged Taxes and all covenants, agreements and other obligations of the County to the Bondholders shall continue to exist and shall run to the benefit of the Insurer, and the Insurer shall be subrogated to the rights of such Bondholders.

(v) *Payment Procedure Pursuant to Policy.* That so long as the Policy shall be in full force and effect, the County and any Paying Agent and Bond Registrar agree to comply with such reasonable timing and notice procedures to properly effectuate Bond payment.

(vi) *Control of Proceedings; Vote in Plan.* That so long as the Policy shall be in full force and effect and not in default, the Insurer may exercise the rights of the registered owners of the Bonds in connection with the enforcement of all rights and remedies, and may vote the interests of the owners of such bonds in connection with bankruptcy, reorganization or insolvency plan or proceeding.

H. ISDA DOCUMENTS. The President or the Chief Financial Officer is hereby authorized to execute and deliver from time to time one or more agreements with counterparties selected by the Chief Financial Officer, the purpose of which is to hedge or manage the County's interest cost with respect to the Bonds (or any portion thereof), or to reduce the County's exposure to fluctuations in the interest rate or rates payable on the Bonds or to insure, protect or preserve its investments from any loss (including, without limitation, loss caused by fluctuations in interest rates, markets or in securities). The stated aggregate notional amount under all such agreements authorized hereunder shall not exceed the principal amount of the Bonds issued hereunder (net of offsetting transactions entered into by the County). Any such agreement to the extent practicable shall be in substantially the form of either the Local Currency - Single Jurisdiction version or the Multicurrency-Cross Border version of the 1992 ISDA Master Agreement accompanied by the U.S. Municipal Counterparty Schedule published by the International Swap Dealers Association (the "ISDA") or any successor form to be published by the ISDA, and in the appropriate confirmations of transactions governed by that agreement, with such insertions, completions and modifications thereof as shall be approved by the officer of the County executing the same, his or her execution to constitute conclusive evidence of the Corporate Authorities' approval of such insertions, completions and modifications thereof. Amounts payable by the County under any such agreement (being "Swap Payments") shall constitute operating expenses of the County payable from any moneys, revenues, receipts, income, assets or funds of the County available for such purpose or be payable from the sources pledged to the payment of the Bonds, as the Chief Financial Officer may from time to time determine. Such amounts shall not constitute an indebtedness of the County for which its full faith and credit is pledged. Nothing contained in this Section shall limit or restrict the authority of the President or

the Chief Financial Officer to enter into similar agreements pursuant to prior or subsequent authorization of the Corporate Authorities.

Sec. 12. Creation of Funds and Appropriations; Abatement of Taxes Levied for Refunded Bonds.

A. BOND FUND CREATED. There is hereby created the “*General Obligation [Refunding] Bonds, Series 201___, Bond Fund*” (the “*Bond Fund*”), which shall be the fund for the payment of principal of and interest on and Maturity Amount of the Bonds.

All receipts of the Pledged Taxes received by the County Treasurer, acting *ex officio* as the County Collector, shall be deposited daily, as far as practicable, with the Trustee. All other moneys appropriated or used by the County for the payment of the principal or redemption price of, and interest on, or Maturity Amount of, the Bonds shall be paid to the Trustee. The Trustee shall be accountable only for moneys actually so deposited with the Trustee. The Trustee is hereby expressly authorized to establish such accounts within the Bond Fund as shall be necessary to account for the Pledged Taxes levied for each Series of Bonds issued hereunder. All Pledged Taxes, and all such moneys, shall be deposited by the Trustee into the Bond Fund.

The County Treasurer is hereby expressly authorized and directed to do, or cause to be done, all things necessary to provide for the prompt deposit with the Trustee, in accordance with this Ordinance, of all Pledged Taxes.

The Bond Fund shall be held and maintained as a separate and segregated account by the Trustee. The Trustee may create Accounts within the Bond Fund as necessary for any Series of Bonds as specified in a relevant Bond Order or, for Variable Rate Bonds, as provided in a relevant Indenture. Moneys in the accounts of the Bond Fund may be withdrawn or may be transferred among the accounts of the Bond Fund by the County upon requisition by the Chief Financial Officer. Accrued interest, capitalized interest and premium, if any, received upon delivery of the Bonds shall be deposited into the Bond Fund and be applied to pay first interest coming due on the Bonds.

The Pledged Taxes shall either be deposited into the Bond Fund and used solely and only for paying the principal of and interest on or Maturity Amount of Bonds or be used to reimburse a fund or account from which advances to the Bond Fund may have been made to pay principal of or interest on or Maturity Amount of the Bonds prior to receipt of Pledged Taxes. Interest income or investment profit earned in the Bond Fund shall be retained in the Bond Fund for payment of the principal of and interest on Current Interest Bonds and Variable Rate Bonds and Maturity Amount of Capital Appreciation Bonds on the interest payment date next after such interest or profit is received or, to the extent lawful and as determined by the Chief Financial Officer, transferred to such other funds as may be determined. On or after such date as may be provided in a relevant Bond Order, capitalized interest, if any, deposited to and remaining in the Bond Fund for any Variable Rate Bonds shall be transferred to such other funds or accounts as the Chief Financial Officer shall determine or as may be provided in a relevant tax agreement for any Tax Exempt Bonds or Tax Advantaged Bonds.

B. (i) CAPITAL PROJECT FUNDS CREATED. The amount of proceeds of the Bonds issued to pay costs of the Capital Projects as shall be set forth in the relevant Bond Order shall be set aside in one or more separate funds of the County, hereby authorized to be created, and designated as the “*Public Safety Project Fund*,” the “*Health Fund Project Fund*,” the “*Corporate Project Fund*,” and the “*Capital Equipment Project Fund*” (collectively, the “*Capital Project Funds*”). Any Capital Project Fund may further be divided into accounts and designated the “*Series _____ Bonds Capital Project Account*”(an “*Account*”). The Capital Project Funds shall be held and maintained as separate and segregated accounts

by the Trustee. Moneys in the Capital Project Funds may be withdrawn or may be transferred among the Capital Project Funds by the County to pay the costs of the Capital Projects upon requisition by the Chief Financial Officer, the Comptroller or any other employee of the County designated by the Chief Financial Officer or the Comptroller.

Alternatively, the Chief Financial Officer may allocate the proceeds of any Bonds issued to pay costs of the Capital Projects to one or more related project funds or accounts of the County already in existence; *provided, however*, that this shall not relieve the County and such officer of the duty to account for the proceeds as if any Capital Project Fund or Account were created as herein provided. The County by its Corporate Authorities reserves the right, as it becomes necessary from time to time, to change the purposes of expenditure of any Capital Project Fund or its accounts, to change priorities, to revise cost allocations between expenditures and to substitute projects, in order to meet current needs of the County; subject, however, to the provisions of the Act and to the tax covenants of the County relating to the Tax Exempt status of interest on Tax Exempt Bonds or to the status of any Bonds as Tax Advantaged Bonds.

(ii) FINANCIAL MANAGEMENT PROJECT FUNDS. The amount of proceeds of Bonds issued to pay costs of the Financial Management Projects as shall be set forth in the relevant Bond Order shall be set aside in one or more separate funds of the County hereby authorized to be created and designated as the “*General Obligation Bonds, Series 201_ Insurance Reserve Fund*” and the “*General Obligation Bonds, Series 201_ Cash Management Fund*” (each, a “*Financial Management Fund*” and, together with the Capital Project Funds, the “*Project Funds*”) and shall be disbursed as necessary to pay costs of the Financial Management Projects.

Alternatively, the Chief Financial Officer may allocate the proceeds of any Bonds issued to pay costs of the Financial Management Projects to one or more related funds or accounts of the County already in existence; *provided, however*, that this shall not relieve the County and such officer of the duty to account for the proceeds as if any Financial Management Project Fund or Account were created as herein provided. The County by its Corporate Authorities reserves the right, as it becomes necessary from time to time, to change the purposes of expenditure of any Financial Management Project Fund or its accounts, to change priorities, to revise cost allocations between expenditures and to substitute projects, in order to meet current needs of the County; subject, however, to the provisions of the Act and to the tax covenants of the County relating to the Tax Exempt status of interest on Tax Exempt Bonds or to the status of any Bonds as Tax Advantaged Bonds.

C. ESCROW ACCOUNTS. The sum necessary, as determined by the Chief Financial Officer, of the principal proceeds of the Refunding Bonds together with such money in the debt service funds for the Refunded Bonds as may be advisable for the purpose, shall be used to provide for the Refunding, pursuant to the provisions of the relevant Escrow Agreement or Escrow Agreements. Any funds remaining to the credit of the County pursuant to an Escrow Agreement upon the termination of the Escrow Agreement shall be disbursed by the Escrow Agent to the County as directed by the Chief Financial Officer.

D. EXPENSE FUND CREATED. The sum necessary, as determined by the Chief Financial Officer, of the principal proceeds of each Series of the Bonds shall be deposited into a separate and segregated fund, hereby created, to be known as the “*General Obligation [Refunding] Bonds, Series 201_ Expense Fund*” (the “*Expense Fund*”) and shall be disbursed upon the delivery of that Series of Bonds by the Trustee at the written direction of the Chief Financial Officer or shall be used by the County to pay costs of issuance in accordance with normal County disbursement procedures. Any funds remaining to the credit of the Expense Fund on the date which is six months following the date of delivery of the Bonds shall be transferred to the County Treasurer for deposit into such fund or account of the County as the Chief Financial Officer may direct.

E. INVESTMENTS. The moneys on deposit in the Bond Fund may be invested from time to time by the Trustee at the written direction of the Chief Financial Officer in Qualified Investments. Any such investments may be sold from time to time by the Trustee without further direction from the County as moneys may be needed for the purposes for which the Bond Fund has been created. The moneys on deposit in each Project Fund shall be invested from time to time by the Trustee at the written direction of the Chief Financial Officer in any lawful investment for County funds. In addition, the Chief Financial Officer shall direct the Trustee (which direction may be by telephonic or facsimile transmission by the County to the Trustee and confirmed by facsimile transmission by the Trustee to the County) to sell such investments when necessary to remedy any deficiency in the Bond Fund, any Project Fund or any accounts created therein. All other investment earnings shall be attributed to the account for which the investment was made.

F. DEPOSITS. All moneys (not including securities) held by the Trustee subject to the provisions of this Section may be deposited by it, on demand or time deposit, in its banking department or with such banks, national banking associations, trust companies, savings banks or savings and loan associations, that are members of the Federal Deposit Insurance Corporation as may be designated by the President or the Chief Financial Officer. No such moneys shall be deposited with any such financial institution in an amount exceeding 50 percent of the amount that an officer of such financial institution shall certify to the Trustee and the Chief Financial Officer as the combined capital and surplus of such financial institution. No such moneys shall be deposited or remain on deposit with any such financial institution in excess of the amount insured or guaranteed by the Federal Deposit Insurance Corporation, unless (a) such financial institution shall have lodged with the trust department of the Trustee or with a Federal Reserve Bank or branch or, with the written approval of the Trustee and the Chief Financial Officer, pledged to some other financial institution for the benefit of the County and the holders of Bonds, as collateral security for the moneys deposited, Federal Obligations or Agency Obligations having a market value (exclusive of accrued interest) at least equal to 100 percent of the amount of such moneys, and (b) the Trustee shall have a perfected first lien in the Federal Obligations or Agency Obligations serving as collateral, and such Federal Obligations or Agency Obligations shall be free from all third party liens. The Trustee shall allow and credit interest on any such moneys held by it at such rate as it customarily allows upon similar funds of similar size and under similar conditions or as required by law. Interest in respect of moneys or on securities in any fund shall be credited in each case to the fund in which such moneys or securities are held.

G. REPURCHASE AGREEMENTS. The County may invest any moneys pursuant to a repurchase agreement. Each repurchase agreement shall meet the requirements of the Public Funds Investment Act of the State of Illinois, as amended, or be secured by Federal Obligations or Agency Obligations or such Qualified Investments as may be specified in a relevant Bond Order, having a market value, marked to market weekly, at least equal to 102 percent of the amount invested in the repurchase agreement plus accrued interest. The Trustee shall at all times have a first lien in such Federal Obligations or Agency Obligations perfected (i) by possession of certificated securities held by the Trustee or held by a third party acting on behalf of the Trustee if the institution serving as Trustee is also the counterparty to the repurchase agreement and is providing the collateral securities, or (ii) under the book-entry procedures specified in 31 Code of Federal Regulations 306.1 *et seq.* or 31 Code of Federal Regulations 350.0 *et seq.* The President or the Chief Financial Officer is hereby authorized to enter into, execute and deliver any investment or repurchase agreement authorized by this Ordinance, and any additional documents as shall be necessary to accomplish the purposes of any such agreement.

H. VARIABLE RATE FUNDS OR ACCOUNTS. Other funds or accounts appropriate for Variable Rate Bonds, such as a purchase fund to accommodate demands for purchase of such Bonds and the remarketing of same to other Bond owners, may be created in the Indenture.

I. TAXES LEVIED FOR REFUNDED BONDS. To the extent not theretofore abated and as determined necessary by the Chief Financial Officer, the taxes previously levied and collected (or in the process of collection) to pay the Refunded Bonds shall be used to effectuate the Refunding as provided in the Escrow Agreement or shall be used to effectuate the Restructuring, or to the extent not needed due to the issuance of the Bonds, shall be deposited into the Bond Fund and used to pay first interest coming due on the Bonds. Taxes previously levied for the Refunded Bonds but not yet extended for collection shall be abated. The Chief Financial Officer is hereby expressly authorized to file an abatement certificate with the County Clerk, without further official action of the Corporate Authorities, to effectuate such abatement.

Sec. 13. General Tax Covenants

A. NOT PRIVATE ACTIVITY BONDS. None of the Tax Exempt Bonds is a “*private activity bond*” as defined in Section 141(a) of the Code. In support of such conclusion, the County certifies, represents and covenants as follows:

1. No more than the portion allowable for Tax Exempt financings of the sale proceeds of each Series of Tax Exempt Bonds, each considered separately, plus investment earnings thereon, will be used, directly or indirectly, in whole or in part, in any Private Business Use.

2. The payment of more than the portion allowable for Tax Exempt financings of the principal of or the interest on each Series of the Tax Exempt Bonds, each considered separately, will not be, directly or indirectly (i) secured by any interest in (A) property used or to be used in any Private Business Use or (B) payments in respect of such property or (ii) on a present value basis, derived from payments in respect of property, or borrowed money, used or to be used in any activity carried on by any person other than a state or local governmental unit.

3. No more than the lesser of five percent of the sale proceeds of each Series of the Tax Exempt Bonds and investment earnings thereon or \$5,000,000 will be used, directly or indirectly, to make or finance loans to any persons.

4. No user of any portion of the Capital Projects financed by Tax Exempt Bonds (collectively, the “*Infrastructure*”) other than a state or local governmental unit will use on any basis other than the same basis as the general public more than the portion, if any, of the Infrastructure which in the aggregate is allowable for Tax Exempt financings, and no person other than a state or local governmental unit will be a user of more than such allowable portion of the Infrastructure, in the aggregate, as a result of (i) ownership, (ii) actual or beneficial use pursuant to a lease or a management, service, incentive payment, research or output contract, or (iii) any other similar arrangement, agreement or understanding, whether written or oral.

5. The County has not and will not enter into any arrangement that conveys to any person, other than a state or local government unit, special legal entitlements to any portion of the Infrastructure that is available for use by the general public. No person, other than a state or local governmental unit, is receiving or will receive any special economic benefit from use of any portion of the Infrastructure that is not available for use by the general public.

B. PERTAINING TO REBATE.

The County further certifies and covenants as follows with respect to the requirements of Section 148(f) of the Code, relating to the rebate of “excess arbitrage profits” (the “*Rebate , the County Requirement*”) to the United States:

1. Unless an applicable exception to the Rebate Requirement is available to the County will meet the Rebate Requirement.

2. Relating to applicable exceptions, any Designated Officer is hereby authorized to make such elections under the Code as either such officer shall deem reasonable and in the best interests of the County. If such election may result in a “penalty in lieu of rebate” as provided in the Code, and such penalty is incurred (the “*Penalty*”), then the County shall pay such Penalty.

3. The Designated Officers are hereby expressly authorized and directed to cause to be established, at such time and in such manner as they may deem necessary or appropriate hereunder, a “201__ General Obligation [Refunding] Bonds Rebate [or Penalty, if applicable] Fund” (the “*Rebate Fund*”) for the Tax Exempt Bonds, and such officers shall further, not less frequently than annually, cause to be transferred to the 148 Compliance Fund the amount determined to be the accrued liability under the Rebate Requirement or Penalty. Said Designated Officers are hereby expressly authorized and directed to cause to be paid to the U.S., without further order or direction from the Corporate Authorities, from time to time as required, amounts sufficient to meet the Rebate Requirement or to pay the Penalty.

4. Interest earnings in the Bond Fund and any Project Fund are hereby authorized to be transferred, without further order or direction from the Corporate Authorities, from time to time as required, to the Rebate Fund for the purposes herein provided; and proceeds of the Tax Exempt Bonds and other lawfully available funds of the County are also hereby authorized to be used to meet the Rebate Requirement or to pay the Penalty, but only if necessary after application of investment earnings as aforesaid.

Sec. 14. Registered Form.

The County recognizes that Section 149 of the Code requires Tax Exempt Bonds to be issued and to remain in fully registered form in order to be and remain Tax Exempt. In this connection, the County agrees that it will not take any action to permit Tax Exempt Bonds to be issued in, or converted into, bearer or coupon form.

Sec. 15. Further Tax-Exemption Covenants.

The County agrees to comply with all provisions of the Code which, if not complied with by the County, would cause Tax Exempt Bonds not to be Tax Exempt. In furtherance of the foregoing provisions, but without limiting their generality, the County agrees: (a) through its officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to comply with all representations, covenants and assurances contained in certificates or agreements as may be prepared by Bond Counsel; (c) to consult with Bond Counsel and to comply with such advice as may be given; (d) to file such forms, statements and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the County in such compliance.

The County also certifies and further covenants with the Underwriters and registered owners of the Tax Exempt Bonds from time to time outstanding that moneys on deposit in any fund or account in

connection with the Tax Exempt Bonds, whether or not such moneys were derived from the proceeds of the sale of the Tax Exempt Bonds or from any other source, will not be used in a manner which will cause the Tax Exempt Bonds to be “arbitrage bonds” within the meaning of Code Section 148 and any lawful regulations promulgated thereunder, as the same presently exist or may from time to time hereafter be amended, supplemented or revised.

The County further covenants that it will not take any action, or omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Tax Exempt Bonds) if taking, permitting or omitting to take such action would cause any Tax Exempt Bond to be a private activity bond within the meaning of the Code or would otherwise cause interest on the Tax Exempt Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The County acknowledges that, in the event of an examination by the Internal Revenue Service of the exemption from federal income taxation of interest on the Tax Exempt Bonds, under present rules, the County may be treated as a “taxpayer” in the examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the Internal Revenue Service in connection with such an examination.

Sec. 16. Reimbursement.

None of the proceeds of the Tax Exempt Bonds will be used to pay, directly or indirectly, in whole or in part, for an expenditure that has been paid by the County prior to the date hereof except architectural, engineering costs or construction costs incurred prior to commencement of any of the Capital Projects or the Financial Management Projects or expenditures for which an intent to reimburse was properly declared under Treasury Regulations Section 1.150-2. This Ordinance is in itself a declaration of official intent under Treasury Regulations Section 1.150-2 as to all costs of the Capital Projects and the Financial Management Projects paid after the date hereof and prior to issuance of the Bonds.

Sec. 17. Opinion of Counsel Exception

The County reserves the right to use or invest moneys in connection with the Bonds in any manner, notwithstanding the tax-related covenants set forth in Sections 13 through 16 herein, *provided*, that it shall first have received an opinion from Bond Counsel to the effect that such use or investment as contemplated is valid and proper under applicable law and this Ordinance and that such use or investment will not adversely affect the Tax Exempt status of the Tax Exempt Bonds.

Sec. 18. Certain Rights Reserved to County

The County reserves the right to provide one or more Credit Facilities, or a combination thereof to secure the payment of the principal of, premium, if any, and interest on one or more Series of Outstanding Bonds, or in the event owners of such Bonds have the right to require purchase thereof, to secure the payment of the purchase price of such Bonds upon the demand of the owners thereof. In connection with any such Credit Facilities, the County may execute and deliver an agreement setting forth the conditions upon which drawings or advances may be made under such Credit Facilities and the method by which the County will reimburse the issuer of such Credit Facilities for such drawings together with interest thereon at such rate or rates and otherwise make payments as may be agreed upon by the County and the issuer of such Credit Facilities. Any such obligation of the County to reimburse or otherwise make payments to the issuer of such Credit Facilities securing a Series of Outstanding Bonds shall constitute operating expenses of the County payable, from any moneys, revenues, receipts, income, assets or funds of the County available for such purpose or be payable from the Pledged Taxes, as the Chief Financial Officer may from time to time determine, under this Ordinance to the same extent as any

Series of Outstanding Bonds, and any and all amounts payable by the County to reimburse the issuer of any such Credit Facilities, together with interest thereon, shall for purposes of this Ordinance be deemed to constitute the payment of principal of, premium, if any, and interest on Outstanding Bonds. Such amounts shall not constitute an indebtedness of the County for which its full faith and credit is pledged.

Sec. 19. Indentures.

Any Indenture for Variable Rate Bonds shall conform as fully as may be practicable to the provisions of Sections 20 to 46, inclusive, hereof, but need not be identical, giving effect to the unique features of such Bonds. In addition, the provisions of this Ordinance relating to the following matters are subject to different provisions that may be contained in an Indenture for Variable Rate Bonds:

- (a) the definition of, and rights and remedies related to, Events of Default;
- (b) the rights and duties of the Trustee and any agents thereof; and
- (c) notices to and consents of registered owners of Variable Rate Bonds.

Sec. 20. Payment and Discharge; Refunding

Variable Rate Bonds shall be subject to payment, provision for payment and defeasance as provided in a relevant Indenture. Current Interest Bonds and Capital Appreciation Bonds may be discharged, payment provided for, and the County's liability terminated as follows:

(a) *Discharge of Indebtedness.* If (i) the County shall pay or cause to be paid to the registered owners of the Bonds the principal, premium, if any, and interest, in the case of Current Interest Bonds, and the Maturity Amount, in the case of Capital Appreciation Bonds, to become due thereon at the times and in the manner stipulated therein and herein, (ii) all fees and expenses of the Trustee shall have been paid, and (iii) the County shall keep, perform and observe all and singular the covenants and promises in the Bonds and in this Ordinance expressed as to be kept, performed and observed by it or on its part, then these presents and the rights hereby granted shall cease, determine and be void. If the County shall pay or cause to be paid to the registered owners of all Outstanding Bonds of a particular Series, or of a particular maturity within a Series, the principal, premium, if any, and interest, in the case of Current Interest Bonds, and the Maturity Amount, in the case of Capital Appreciation Bonds, to become due thereon at the times and in the manner stipulated therein and herein, such Bonds shall cease to be entitled to any lien, benefit or security under the Ordinance, and all covenants, agreements and obligations of the County to the holders of such Bonds shall thereupon cease, terminate and become void and discharged and satisfied.

(b) *Provision for Payment.* Bonds for the payment or redemption or prepayment of which sufficient monies or sufficient Defeasance Obligations shall have been deposited with the Trustee or an escrow agent having fiduciary capacity (whether upon or prior to the maturity or the redemption date of such Bonds) and for Tax Advantaged Bonds, accompanied by an opinion of bond counsel as to compliance with the covenants with respect to such Bonds, and accompanied by an express declaration of defeasance of the Bonds by the Corporate Authorities, shall be deemed to be paid within the meaning of this Ordinance and no longer outstanding under this Ordinance; *provided, however,* that if such Bonds are to be redeemed prior to the maturity thereof, notice of such redemption shall have been duly given as provided in this Ordinance or arrangements satisfactory to the Trustee shall have been made for the giving thereof. Defeasance Obligations shall be considered sufficient only if said investments mature and bear interest in such amounts and at such times as will assure sufficient cash to pay currently maturing interest,

principal or Maturity Amount, as applicable, and redemption premiums if any when due on the Bonds without rendering the interest on any Bonds taxable under the Code.

The County may at any time surrender to the Trustee for cancellation by it any Bonds previously authenticated and delivered hereunder, which the County may have acquired in any manner whatsoever, and such Bonds, upon such surrender and cancellation, shall be deemed to be paid and retired.

(c) *Termination of County's Liability.* Upon the discharge of indebtedness under paragraph (a) hereof, or upon the deposit with the Trustee of sufficient money and Defeasance Obligations (such sufficiency being determined as provided in paragraph (b) hereof) for the retirement of any particular Bond or Bonds, all liability of the County in respect of such Bond or Bonds shall cease, determine and be completely discharged and the holders thereof shall thereafter be entitled only to payment out of the money and the proceeds of the Defeasance Obligations deposited with aforesaid for their payment.

Sec. 21. Duties of Trustee

(a) Subject to a different provision in an Indenture for Variable Rate Bonds, if the Trustee has received notice, or has actual knowledge that an Event of Default has occurred and is continuing, the Trustee shall exercise its rights and powers and use the same degree of care and skill in their exercise as a prudent person would exercise or use under the circumstances in the conduct of such person's own affairs.

(b) Subject to a different provision in an Indenture for Variable Rate Bonds, the Trustee need perform only those duties that are specifically set forth in this Ordinance and no others, and no implied covenants or obligations of the Trustee shall be read into this Ordinance. In the absence of bad faith on its part, the Trustee may conclusively rely, as to the truth of the statements and the correctness of the opinions expressed, upon certificates or opinions furnished to the Trustee and conforming to the requirements of this Ordinance. However, the Trustee shall examine the certificates and opinions to determine whether they conform to the requirements of this Ordinance.

(c) Subject to a different provision in an Indenture for Variable Rate Bonds, the Trustee may not be relieved from liability for its own gross negligent action, its own gross negligent failure to act or its own willful misconduct, except that:

(1) this paragraph does not limit the effect of paragraph (b) of this Section,

(2) the Trustee shall not be liable for any error of judgment made in good faith by a responsible officer of the Trustee, unless it is proved that the Trustee was negligent in ascertaining the pertinent facts,

(3) the Trustee shall not be liable with respect to any action taken or omitted to be taken by it in good faith in accordance with the direction of any Insurer or the owners of the Bonds (in such percentages as may be required by the terms hereof) relating to the time, method and place of conducting any proceeding for any remedy available to the Trustee, or exercising any trust or power conferred upon the Trustee, under this Ordinance or any Indenture;

(4) no provision of this Ordinance shall require the Trustee to expend or risk its own funds or otherwise incur any financial liability in the performance of any of its duties hereunder or in the exercise of any of its rights or powers, if it shall have reasonable grounds for believing

that repayment of such funds or adequate indemnity against such risk or liability is not reasonably assured to it.

(d) Subject to a different provision in an Indenture for Variable Rate Bonds, every provision of this Ordinance that in any way relates to the Trustee is subject to all the paragraphs of this Section.

(e) Subject to a different provision in an Indenture for Variable Rate Bonds, the Trustee may refuse to perform any duty or exercise any right or power, or to make any payment on any Bond to any holder of such Bond, unless it receives indemnity satisfactory to it against any loss, liability or expense.

(f) Subject to a different provision in an Indenture for Variable Rate Bonds, the Trustee shall not be liable for interest on any cash held by it except as the Trustee may agree with the County or as set forth herein.

(g) For all purposes under this Ordinance or any Indenture, the Trustee shall not be deemed to have notice of any Event of Default described in Section 29(iii), (iv) or (v) hereof unless a responsible officer of the Trustee has actual knowledge thereof or unless written notice of any event which is in fact such an Event of Default is received by the Trustee [at the Corporate Trust Office], and such notice references any of the Bonds generally or this Ordinance or the applicable Indenture.

(h) The permissive right of the Trustee to perform any discretionary act enumerated in this Ordinance or any Indenture shall not be construed as a duty, and the Trustee shall not be answerable for other than its gross negligence or willful misconduct.

(i) In no event shall the Trustee be required to take any action that conflicts with any of the provisions of this Ordinance or any Indenture or with the Trustee's fiduciary duties or that adversely affect its rights and immunities hereunder.

Sec. 22. Rights of Trustee.

Subject to the foregoing Section and subject to a different provision in an Indenture for Variable Rate Bonds:

(a) The Trustee may rely on any document reasonably believed by it to be genuine and to have been signed or presented by the proper person. The Trustee need not investigate any fact or matter stated in the document.

(b) Before the Trustee acts or refrains from acting, it may require a certificate of an appropriate officer or officers of the County or an opinion of counsel. The Trustee shall not be liable for any action it takes or omits to take in good faith in reliance on the certificate or opinion of counsel.

(c) The Trustee may act through agents or co-trustees and shall not be responsible for the misconduct or negligence of any agent or co-trustee appointed with due care.

(d) The Trustee shall not be personally liable for any action it takes or omits to take or any action or inaction it believes in good faith to be authorized or within its rights or powers.

(e) The Trustee shall not be bound to make any investigation into the facts of matters stated in any reports, certificates, payment instructions, opinion, notice, order or other paper or document unless the Trustee has actual knowledge to the contrary.

(f) The Trustee may consult with counsel, and the advice or opinion of counsel with respect to legal matters relating to this Ordinance, any Indenture and the Bonds shall be full and complete authorization and protection from liability in respect of any action taken, omitted or suffered by it hereunder in good faith and in accordance with the advice or opinion of such counsel.

(g) The Trustee shall be under no obligation to exercise any of the trusts or powers vested in it by this Ordinance or any Indenture or to institute, conduct or defend any litigation hereunder or in relation hereto at the request, order or direction of any of the Bondholders, pursuant to the provisions of this Ordinance or any Indenture, unless such Bondholders shall have offered to the Trustee security or indemnity satisfactory to the Trustee against the costs, expenses and liabilities which may be incurred therein or thereby.

Sec. 23. Individual Rights of Trustee.

The Trustee in its individual or any other capacity may become the owner or pledgee of Bonds and may otherwise deal with the County with the same rights it would have if it were not Trustee. Any paying agent may do the same with like rights.

Sec. 24. Trustee's Disclaimer.

The Trustee makes no representation as to the validity or adequacy of this Ordinance or the Bonds; it shall not be accountable for the County's use of the proceeds from the Bonds paid to the County, and it shall not be responsible for any statement in the Bonds other than its certificate of authentication.

Sec. 25. Eligibility of Trustee

This Ordinance and any Indenture shall always have the Trustee that is a commercial bank with trust powers or a trust company organized and doing business under the laws of the United States or any state or the District of Columbia, is authorized under such laws and the laws of the State to exercise corporate trust powers and is subject to supervision or examination by United States or State authority. If at any time the Trustee ceases to be eligible in accordance with this Section, the Trustee shall resign immediately as set forth in Section 26.

Sec. 26. Replacement of Trustee

Subject to a different provision in an Indenture for Variable Rate Bonds, the Trustee may resign with thirty (30) days' written notice to the County, effective upon the execution, acknowledgment and delivery by a successor Trustee to the County of appropriate instruments of succession. Provided that no Event of Default shall have occurred and be continuing, the County may remove the Trustee and appoint a successor Trustee at any time by an instrument or concurrent instruments in writing delivered to the Trustee; *provided, however*, that the holders of a majority in aggregate principal amount of Bonds outstanding at the time may at any time remove the Trustee and appoint a successor Trustee by an instrument or concurrent instrument in writing signed by such Bondholders, and further provided that any conflict between the County and such holders regarding such removal and appointment shall be resolved in favor of such holders. Such successor Trustee shall be a corporation authorized under applicable laws to exercise corporate trust powers and may be incorporated under the laws of the United States or of the State. Such successor Trustee shall in all respects meet the requirements set forth in Section 25 hereof.

Subject to a different provision in an Indenture for Variable Rate Bonds, if the Trustee resigns or is removed or if a vacancy exists in the office of Trustee for any reason, the County shall promptly appoint a successor Trustee.

Subject to a different provision in an Indenture for Variable Rate Bonds, a successor Trustee shall deliver a written acceptance of its appointment to the retiring Trustee and to the County. Immediately thereafter, the retiring Trustee shall transfer all property held by it as Trustee to the successor Trustee; the resignation or removal of the retiring Trustee shall then (but only then) become effective, and the successor Trustee shall have all the rights, powers and duties of the Trustee under this Ordinance and the relevant Indenture.

Subject to a different provision in an Indenture for Variable Rate Bonds, if a successor Trustee does not take office within 60 days after the retiring Trustee resigns or is removed, the retiring Trustee, the County or the registered owners a majority in principal amount of the Bonds then outstanding may petition any court of competent jurisdiction for the appointment of a successor Trustee.

Sec. 27. Successor Trustee by Merger

Subject to a different provision in an Indenture for Variable Rate Bonds, if the Trustee consolidates with, merges or converts into, or transfers all or substantially all its assets (or, in the case of a bank or trust company, its corporate trust assets) to, another corporation, the resulting, surviving or transferee corporation without any further act shall be the successor Trustee.

Sec. 28. Compensation.

All reasonable fees and expenses of the Trustee shall be paid by the County from cash on hand and lawfully available.

Sec. 29. Definition of Events of Default; Remedies

Subject to a different provision in an Indenture for Variable Rate Bonds, if one or more of the following events, herein called "Events of Default", shall happen, that is to say, in case:

(i) default shall be made in the payment of the principal of or redemption premium, if any, or the Maturity Amount on any Outstanding Bond when the same shall become due and payable, either at maturity or by proceedings for redemption or otherwise; or

(ii) default shall be made in the payment of any installment of interest on any Outstanding Bond when and as such installment of interest shall become due and payable; or

(iii) the County shall (1) commence a voluntary case under the Federal bankruptcy laws, as now or hereafter constituted, or any other applicable Federal or state bankruptcy, insolvency or other similar law, (2) make an assignment for the benefit of its creditors, (3) consent to the appointment of a receiver of itself or of the whole or any substantial part of its property, or (4) be adjudicated a bankrupt or any petition for relief shall be filed in respect of an involuntary case under the Federal bankruptcy laws, as now or hereafter constituted, or any other applicable Federal or state bankruptcy, insolvency or other similar law and such order continue in effect for a period of 60 days without stay or vacation; or

(iv) a court of competent jurisdiction shall enter an order, judgment or decree appointing a receiver of the County, or of the whole or any substantial part of its property, or

approving a petition seeking reorganization of the County under the Federal bankruptcy laws or any other applicable Federal or state law or statute and such order, judgment or decree shall not be vacated or set aside or stayed within 60 days from the date of the entry thereof; or

(v) under the provisions of any other law for the relief or aid of debtors, any court of competent jurisdiction shall assume custody or control of the County or of the whole or any substantial part of its property, and such custody or control shall not be terminated or stayed within 60 days from the date of assumption of such custody or control;

then in each and every such case the Trustee may, and upon the written request of the registered owners of twenty-five percent (25%) in principal amount of the Bonds (measured by principal amount of Current Interest Bonds and Variable Rate Bonds and by the then Compound Accreted Value of Capital Appreciation Bonds) affected by the Event of Default and then outstanding hereunder shall, proceed to protect and enforce its rights and the rights of the holders of the Bonds by a suit, action or special proceeding in equity or at law, by mandamus or otherwise, either for the specific performance of any covenant or agreement contained herein or in aid or execution of any power herein granted or for any enforcement of any proper legal or equitable remedy as the Trustee, being advised by counsel, shall deem most effectual to protect and enforce the rights aforesaid.

During the continuance of an Event of Default, all Pledged Taxes received by the Trustee under this Ordinance from the County shall be applied by the Trustee in accordance with the terms of Section 37 of this Ordinance.

Sec. 30. Notices of Default under Ordinance

Subject to a different provision in an Indenture for Variable Rate Bonds, promptly after the occurrence of an Event of Default or the occurrence of an event which, with the passage of time or the giving of notice or both, would constitute an Event of Default, the Trustee shall mail to the Bondholders at the address shown on the Bond Register, the Insurer, and also directly to any beneficial owner of \$500,000 or more in aggregate principal amount of Current Interest Bonds or Variable Rate Bonds or Original Principal Amount of Capital Appreciation Bonds then Outstanding at such address as the Trustee shall obtain from the Depository, notice of all Events of Default or such events known to the Trustee unless such defaults or prospective defaults shall have been cured before the giving of such notice.

Sec. 31. Termination of Proceedings by Trustee

Subject to a different provision in an Indenture for Variable Rate Bonds, in case any proceedings taken by the Trustee on account of any default shall have been discontinued or abandoned for any reason, or shall have been determined adversely to the Trustee, then and in every such case the County, the Trustee, the Bondholders shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies and powers of the Trustee shall continue as though no such proceeding had been taken.

Sec. 32. Right of Holders to Control Proceedings

Subject to the provisions of any Commitment, and subject to a different provision in an Indenture for Variable Rate Bonds, anything in this Ordinance to the contrary notwithstanding, the registered owners of a majority in principal amount of the Bonds (measured by principal amount of Current Interest Bonds and Variable Rate Bonds and by the then Compound Accreted Value of Capital Appreciation Bonds) then outstanding shall have the right, by an instrument in writing executed and delivered to the Trustee, to direct the method and place of conducting all remedial proceedings to be taken by the Trustee hereunder in respect of the Bonds, respectively; *provided* that such direction shall not be otherwise than in

accordance with law and the Trustee shall be indemnified to its satisfaction against the costs, expenses and liabilities to be incurred therein or thereby.

Sec. 33. Right of Holders to Institute Suit.

Subject to the provisions of any Commitment, and subject to a different provision in an Indenture for Variable Rate Bonds, no holder of any of the Bonds shall have any right to institute any suit, action or proceeding in equity or at law for the execution of any trust hereunder, or for any other remedy hereunder or on the Bonds unless such holder previously shall have given to the Trustee written notice of an Event of Default as hereinabove provided, and unless also the registered owners of twenty-five percent (25%) in principal amount of the Bonds (measured by principal amount of Current Interest Bonds and Variable Rate Bonds and by the then Compound Accreted Value of Capital Appreciation Bonds) then outstanding shall have made written request of the Trustee after the right to exercise such powers, or right of action, as the case may be, shall have accrued, and shall have afforded the Trustee a reasonable opportunity either to proceed to exercise the powers hereinbefore granted, or to institute such action, suit, or proceeding in its name; and unless, also, there shall have been offered to the Trustee security and indemnity satisfactory to it against the costs, expenses and liabilities to be incurred therein or thereby, and the Trustee shall have refused or neglected to comply with such request within a reasonable time; and such notification, request and offer of indemnity are hereby declared in every such case, at the option of the Trustee, to be conditions precedent to the execution of the powers and trusts of this Ordinance or for any other remedy hereunder; it being understood and intended that no one or more holders of the Bonds shall have any right in any manner whatever by his, her or their action to affect, disturb or prejudice the security of this Ordinance, or to enforce any right hereunder, except in the manner herein provided, and that all proceedings at law or in equity shall be instituted, had and maintained in the manner herein provided and for the equal benefit of all holders of the outstanding Bonds, respectively.

Nothing in this Section contained shall, however, affect or impair the right of any Bondholder, which is absolute and unconditional, to enforce the payment of the principal of and redemption premium, if any, and interest on his or her Bonds, respectively, out of the Bond Fund, or the obligation of the County to pay the same, at the time and place in the Bonds expressed.

Sec. 34. Suits by Trustee.

All rights of action under this Ordinance, or under any of the Bonds, enforceable by the Trustee, may be enforced by it without the possession of any of the Bonds or the production thereof at the trial or other proceeding relative thereto, and any such suit, or proceeding, instituted by the Trustee shall be brought in its name for the ratable benefit of the holders of the Bonds affected by such suit or proceeding, subject to the provisions of this Ordinance.

Sec. 35. Remedies Cumulative.

No remedy herein conferred upon or reserved to the Trustee, the Bondholders, or to the Insurer is intended to be exclusive of any other remedy or remedies, and each and every such remedy shall be cumulative, and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute.

Sec. 36. Waiver of Default.

No delay or omission of the Trustee or of any Bondholder to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default, or an acquiescence therein; and every power and remedy given by this Section to the Trustee and the Bondholders, respectively, may be exercised from time to time, and as often as may be deemed

expedient. In the event any Event of Default shall be waived by the Bondholders or the Trustee, acting at the direction, or with the consent of, the Bondholders, such waiver shall be limited to the particular Event of Default so waived and shall not be deemed to waive any other Event of Default hereunder.

Sec. 37. Application of Monies After Default

Subject to a different provision in an Indenture for Variable Rate Bonds, and subject to any Commitment, the County covenants that if an Event of Default shall happen and shall not have been remedied, the Trustee shall apply all monies, securities and funds received by the Trustee pursuant to any right given or action taken under the provisions of this Article as follows:

(1) First, to the payment of all reasonable costs and expenses of collection, fees, and other amounts due to the Trustee hereunder; and thereafter,

(2) Second, to the payment of amounts, if any, payable to the United States Treasury pursuant to any Tax Agreement;

(3) All such monies shall be applied as follows:

(A) first, to the payment to the persons entitled thereto of all installments of interest on Outstanding Bonds then due, in the order of the maturity of such installments, and, if the amount available shall not be sufficient to pay in full any particular installment, then to the payment ratably, according to the amounts due on such installment, to the persons entitled thereto, without any discrimination or preference;

(B) second, to the payment to the persons entitled thereto of the unpaid principal or then current Compound Accreted Value of and premium, if any, on any of the Outstanding Bonds which shall have become due (other than Bonds matured or called for redemption for the payment of which monies are held pursuant to the provisions of this Ordinance), in the order of their due dates, with interest upon such Outstanding Current Interest Bonds from the respective dates upon which they became due, and, if the amount available shall not be sufficient to pay in full Outstanding Bonds due on any particular date, together with such premium, then to the payment ratably according to the amount of principal and premium due on such date, and then to the payment of such principal or then current Compound Accreted Value ratably according to the amount of such principal due on such date, to the persons entitled thereto without any discrimination or preference; and

(C) third, to the payment of Swap Payments.

Whenever monies are to be applied by the Trustee pursuant to the provisions of this paragraph, such monies shall be applied by the Trustee at such times, and from time to time, as the Trustee shall determine upon consultation with the County, having due regard to the amount of such monies available for application and the likelihood of additional monies becoming available for such application in the future. The deposit of such monies with the paying agents, or otherwise setting aside such monies, in trust for the proper purpose, shall constitute proper application by the Trustee; and the Trustee shall incur no liability whatsoever to the County to any Bondholder or to any other person for any delay in applying any such funds, so long as the Trustee acts with reasonable diligence, having due regard to the circumstances, and ultimately applies the same in accordance with such provisions of this Ordinance as may be applicable at the time of application by the Trustee. Whenever the Trustee shall apply such funds, it shall fix the date (which shall be an interest payment date unless the Trustee shall deem another date more suitable) upon

which such application is to be made and upon such date interest on the amounts of principal paid on such date shall cease to accrue. The Trustee shall give such notice as it may deem appropriate of the fixing of any such date and of the endorsement to be entered on each Bond on which payment shall be made, and shall not be required to make payment to the holder of any unpaid Bond until such Bond shall be presented to the Trustee for appropriate endorsement, or some other procedure deemed satisfactory by the Trustee.

Sec. 38. This Ordinance a Contract.

The provisions of this Ordinance shall constitute a contract between the County and the registered owners of the Bonds, and no changes, additions or alterations of any kind shall be made hereto, except as herein provided.

Sec. 39. Supplemental Ordinances

Supplemental ordinances may be passed as follows:

(a) *Supplemental Ordinances Not Requiring Consent of Bondholders.* The County by the Corporate Authorities, and the Trustee from time to time and at any time, subject to the conditions and restrictions in this Ordinance and any Commitment contained, may pass and accept an ordinance or ordinances supplemental hereto, which ordinance or ordinances thereafter shall form a part hereof, for any one or more of the following purposes:

(i) To add to the covenants and agreements of the County in this Ordinance contained, other covenants and agreements thereafter to be observed or to surrender, restrict or limit any right or power herein reserved to or conferred upon the County;

(ii) To make such provisions for the purpose of curing any ambiguity, or of curing, correcting or supplementing any defective provision contained in this Ordinance, or in regard to matters or questions arising under this Ordinance, as the County may deem necessary or desirable and not inconsistent with this Ordinance and which in the opinion of the Trustee shall not adversely affect the interests of the registered owners of the Bonds, as evidenced by an opinion of counsel delivered to the Trustee;

(iii) To designate one or more tender or similar agents of the Trustee, bond registrars or paying agents;

(iv) To comply with the provisions of Section 20 hereof when money and the Defeasance Obligations designated therein sufficient to provide for the retirement of Bonds shall have been deposited with the Trustee; and

(v) as to Bonds which are authorized but unissued hereunder to change in any way the terms upon which such Bonds may be issued or secured.

Any supplemental ordinance authorized by the provisions of this Section may be passed by the County and accepted by the Trustee without the consent of or notice to the registered owners of any of the Bonds at the time outstanding, but with notice to the Insurer, notwithstanding any of the provisions of paragraph (b) of this Section, but the Trustee shall not be obligated to accept any such supplemental ordinance which affects the Trustee's own rights, duties or immunities under this Ordinance or otherwise.

(b) *Supplemental Ordinances Requiring Consent of Bondholders.* With the consent (evidenced as provided in Section 43) of the registered owners of not less than a majority in aggregate principal amount of the Bonds, at the time outstanding, and subject to any Commitment, the County, by the Corporate Authorities may pass, and the Trustee may accept from time to time and at any time an ordinance or ordinances supplemental hereto for the purpose of adding any provisions to or changing in any manner or eliminating any of the provisions of this Ordinance or of any supplemental ordinance; provided that no such modification or amendment shall extend the maturity or reduce the interest rate on, or permit the creation of a preference or priority of any Outstanding Bond or Outstanding Bonds over any other Outstanding Bond or Outstanding Bonds, or otherwise alter or impair the obligation of the County to pay the principal, interest or redemption premium, if any, at the time and place and at the rate and in the currency provided therein of any Bond, without the express consent of the registered owner of such Bond or permit the creation of a preference or priority of any Bond or Bonds over any other Bond or Bonds, or reduce the percentage of Bonds, respectively, required for the affirmative vote or written consent to an amendment or modification, or deprive the registered owners of the Bonds (except as aforesaid) of the right to payment of the Bonds from the Pledged Taxes, or alter or impair the obligations of the County with respect to the Tax Exempt status, the registration, transfer, exchange or notice of redemption of Bonds, without the consent of the registered owners of all Outstanding Bonds affected; nor shall any such modification or amendment reduce the percentage of the registered owners of Outstanding Bonds required for the written consent of such modification or amendment without the consent of the owners of all of the Outstanding Bonds. Upon receipt by the Trustee of a certified copy of such ordinance and upon the filing with the Trustee of evidence of the consent of Bondholders as aforesaid, the Trustee shall accept unless such supplemental ordinance affects the Trustee's own rights, duties or immunities under this Ordinance or otherwise, in which case the Trustee may in its discretion, but shall not be obligated to, accept such supplemental ordinance.

If a given Series of Bonds is fully and irrevocably insured or otherwise provided for as to the timely payment of principal and interest by a municipal bond or financial guaranty insurance policy, a letter of credit, or some other means, and such policy provider or letter of credit provider shall not be in default, then any consent to amendment as herein provided shall not be given by the owners of Bonds of such Series, but rather shall be obtained from such provider, whose consent may or may not be given in its complete discretion, and whose consent shall be binding on such owners and all successors in interest. Ownership of Bonds for purposes of consent by the registered owners thereof shall be conclusively proved by the Bond Register.

It shall not be necessary for the consent of the Bondholders under this paragraph to approve the particular form of any proposed supplemental ordinance, but it shall be sufficient if such consent shall approve the substance thereof.

Promptly after the passage by the County and the acceptance by the Trustee of any supplemental ordinance pertaining to the Bonds pursuant to the provisions of this paragraph, the County shall publish a notice, setting forth in general terms the substance of such supplemental ordinance, at least once in a financial newspaper or journal printed in the English language, customarily published on each business day and of general circulation among dealers in municipal securities in the County of New York, New York. If, because of temporary or permanent suspension of the publication or general circulation of any financial newspaper or journal or for any other reason it is impossible or impractical to publish such notice of supplemental ordinance in the manner herein provided, then such publication in lieu thereof as shall be made with the approval of the Trustee shall constitute sufficient publication of notice. Any failure of the County to given such

notice, or any defect therein, shall not, however, in any way impair or affect the validity of any such supplemental ordinance.

(c) *Supplemental Ordinance to Modify this Ordinance.* Upon the execution of any supplemental ordinance pursuant to the provisions of this Section, this Ordinance shall be modified and amended in accordance therewith and the respective rights, duties and obligations under this Ordinance of the County, the Trustee and all registered owners of Bondholders, respectively, outstanding thereunder shall thereafter be determined, exercised and enforced hereunder subject in all respects to such modification and amendments, and all the terms and conditions of any such supplemental ordinance shall be and be deemed to be part of the terms and conditions of this Ordinance for any and all purposes.

(d) *Trustee May Rely Upon Opinion of Counsel Re: Supplemental Ordinance.* The Trustee may receive an opinion of counsel as conclusive evidence that any supplemental ordinance executed pursuant to the provisions of this Section complies with the requirements of this Section.

(e) *Notation.* Bonds authenticated and delivered after the execution of any supplemental ordinance pursuant to the provisions of this Section may bear a notation, in form approved by the Trustee, as to any matter provided for in such supplemental ordinance, and if such supplemental ordinance shall so provide, new bonds, so modified as to conform, in the opinion of the Trustee and the Corporate Authorities, to any modification of this Ordinance contained in any such supplemental ordinance, may be prepared by the County, authenticated by the Trustee and delivered without cost to the registered owners of the Bonds then outstanding, upon surrender for cancellation of such Bonds in equal aggregate principal amounts.

Sec. 40. Effect of Consents

After an amendment or supplement to this Ordinance becomes effective, it will bind every Bondholder. For purposes of determining the total number of Bondholders' consents, each Bondholder's consent will be effective with respect to the Bondholder who consented to it and each subsequent holder of a Bond or portion of a Bond evidencing the same debt as the consenting holder's Bond.

Sec. 41. Signing by Trustee of Amendments and Supplements.

The Trustee will sign any amendment or supplement to the Ordinance or the Bonds authorized hereunder if the amendment or supplement does not adversely affect the rights, duties, liabilities or immunities of the Trustee. If it does, the Trustee may, but need not, sign it. In signing an amendment or supplement, the Trustee will be entitled to receive and (subject to Section 21 of this Ordinance) will be fully protected in relying on an opinion of counsel stating that such amendment or supplement is authorized by this Ordinance.

Sec. 42. Notices.

(a) Subject to a different provision in an Indenture for Variable Rate Bonds, any notice, request, direction, designation, consent, acknowledgment, certification, appointment, waiver or other communication required or permitted by this Ordinance or the Bonds must be in writing except as expressly provided otherwise in this Ordinance or the Bonds.

(b) Subject to a different provision in an Indenture for Variable Rate Bonds, any notice or other communication shall be sufficiently given and deemed given when delivered by hand or mailed by first-

class mail, postage prepaid, addressed as follows: if to the County, to The County of Cook, Illinois, 118 North Clark Street, Room 1127, Chicago, Illinois 60602, Attention: Chief Financial Officer; if to the Trustee, at such address as shall have been provided by the Trustee in writing to the Chief Financial Officer. Any addressee may designate additional or different addresses for purposes of this Section.

(c) Subject to a different provision in an Indenture for Variable Rate Bonds, any notice or other communication required to any Bondholder shall be sufficiently given and deemed given when delivered by hand or mailed by first-class mail, postage prepaid, addressed to such Bondholder at the address set forth in the Bond Register.

(d) Any notice or other communication required to be given directly to any beneficial owner of \$500,000 or more in aggregate principal amount of Bonds then outstanding shall be sufficiently given and deemed given when delivered by hand or mailed by first-class mail, postage prepaid, to such beneficial owner at the address provided by the Depository.

Sec. 43. Bondholders' Consents.

Subject to a different provision in an Indenture for Variable Rate Bonds, in obtaining or receiving the consents of registered owners, the County may establish reasonable rules of procedure including, without limitation, rules relating to (i) a record date to fix the registered owners who are entitled to vote, (ii) solicitation of proxies and (iii) a meeting of the registered owners for the taking of actions. The registered owners of Bonds may vote their Bond interest in fractional shares. In the event that Bonds are registered in the name or names of nominees or depositories, consent of such owners by proxy in accordance with the applicable customs of the securities industry or rules of the Securities and Exchange Commission, Municipal Securities Rulemaking Board or other association or agency having jurisdiction shall be sufficient.

Any action, consent or other instrument shall be irrevocable and shall bind any subsequent owner of such Bond or any Bond delivered in substitution therefore.

For purposes of determining consent under this Ordinance of holders of the Bonds, the outstanding principal amount of the Bonds shall be deemed to exclude the Bonds owned by or under the control of the County.

Sec. 44. Limitation of Rights.

Nothing expressed or implied in this Ordinance or the Bonds shall give any person other than the Trustee, the County, or the Bondholders any right, remedy or claim under or with respect to this Ordinance.

Sec. 45. Partial Invalidity.

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Sec. 46. List of Bondholders

The Trustee shall maintain a list of the names and addresses of the holders of all Bonds and upon any transfer shall add the name and address of the new Bondholder and eliminate the name and address of the transferor Bondholder.

Sec. 47. Rights and Duties of Trustee

If requested by the Trustee, the President and Chief Financial Officer of the County are authorized to execute a mutually agreeable form of agreement between the County and the Trustee with respect to the obligations and duties of the Trustee as Trustee hereunder which may include the following:

- (a) to act as Trustee, authenticating agent, paying agent and transfer agent as provided herein;
- (b) to maintain a list of Bondholders as set forth herein and to furnish such list to the County upon request, but otherwise to keep such list confidential;
- (c) to give notice of redemption of Bonds as provided herein;
- (d) to cancel and/or destroy Bonds which have been paid at maturity or upon earlier redemption or submitted for exchange or transfer;
- (e) to furnish the County at least annually a certificate with respect to Bonds cancelled and/or destroyed; and
- (f) to furnish the County at least annually an audit confirmation of Bonds paid, Bonds Outstanding and payments made with respect to interest on the Bonds.

The County Clerk of the County is hereby directed to file a certified copy of this Ordinance with the Trustee.

Sec. 48. Prior Inconsistent Proceedings.

All ordinances, resolutions, motions or orders, or parts thereof, in conflict with the provisions of this Ordinance, are to the extent of such conflict hereby repealed.

Sec. 49. Immunity of Officers and Employees of County

No recourse shall be had for the payment of the principal of or premium or interest on any of the Bonds or for any claim based thereon or upon any obligation, covenant or agreement in this Ordinance contained against any past, present or future elected or appointed officer, director, member, employee or agent of the County, or of any successor public corporation, as such, either directly or through the County or any successor public corporation, under any rule of law or equity, statute or constitution or by the enforcement of any assessment or penalty or otherwise, and all such liability of any such elected or appointed officers, directors, members, employees or agents as such is hereby expressly waived and released as a condition of and consideration for the passage of this Ordinance and the issuance of such Bonds.

Sec. 50. Passage and Approval.

Presented, Passed, Approved and Recorded by the County of Cook, Illinois, a home rule unit of government, this 27th day of July, 2011.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

CHAIRMAN DALEY VOTED PRESENT ON THE INCLUSION OF MESIROW FINANCIAL AS CO-MANAGER.

313646 **ILLINOIS HOUSING AUTHORITY (IHDA) (PROPOSED CONTRACT AMENDMENT).** Transmitting a Communication dated June 23, 2011 from Timothy C. Evans, Chief Judge, Circuit Court of Cook County, sponsored by Bridget Gainer, County Commissioner:

requesting authorization for Cook County to increase by \$1,650,250.00 and extend for eleven (11) months and two (2) weeks, the interagency agreement with the Illinois Housing Development Authority (IHDA), Chicago, Illinois, for the management of housing counseling services for the court's Mortgage Foreclosure Mediation Program.

Board approved amount 03/02/10:	\$1,500,000.00
Previous increase approved 03/01/11:	500,000.00
This increase requested:	<u>\$1,650,250.00</u>
Adjusted amount:	\$3,650,250.00

Reason: Under this proposed extension, Illinois Housing Development Authority (IHDA) will implement changes to the program developed by the court in consultation with members of the Cook County Board of Commissioners, community outreach groups, housing counseling agencies, legal aid offices, and housing policy and advocate groups. These changes will include establishing housing counseling workshops in neighborhoods throughout Cook County and switching to a fee-for-service arrangement to compensate housing counseling agencies. These modifications will enable the program to accommodate and assist more residents facing foreclosure and ensure the highest quality control of housing counseling services provided in the most economically efficient manner. As of May 31, 2011, there were 75,112 mortgage foreclosures pending in the Circuit Court of Cook County. This extension will provide the time necessary to fully evaluate the program modification IHDA was originally selected to manage the program's housing counseling services for a limited period early in March 2010. In November 2010, a Request for Proposals (RFP) process was completed. IHDA was the only respondent to the RFP.

Estimated Fiscal Impact: \$1,650,250.00 Contract extension: August 1, 2011 through July 31, 2012

***Referred to the Finance Committee on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER GARCIA, MOVED APPROVAL OF COMMUNICATION NO. 313646. THE MOTION CARRIED.

313647 **CHICAGO COMMUNITY TRUST (PROPOSED CONTRACT AMENDMENT).** Transmitting a Communication dated June 23, 2011 from Timothy C. Evans, Chief Judge, Circuit Court of Cook County, sponsored by Bridget Gainer, County Commissioner:

requesting authorization for the Purchasing Agent to increase by \$632,500.00 and extend for eleven (11) months and two (2) weeks, Contract No. 10-41-40 with the Chicago Community Trust, Chicago, Illinois, to provide community outreach services for the court's Mortgage Foreclosure Mediation Program.

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Board approved amount 03/02/10:	\$ 250,000.00
Previous increase approved 12/14/10:	125,000.00
Previous increase approved 03/01/11:	167,000.00
This increase requested:	<u>\$ 632,500.00</u>
Adjusted amount:	\$1,174,500.00

Reason: Under this proposed extension, the Chicago Community Trust will implement changes to the program developed by the court in consultation with members of the Cook County Board of Commissioners, community outreach groups, housing counseling agencies, legal aid offices, and housing policy and advocate groups. These changes will include, in addition to maintaining face-to-face community outreach, developing, printing, and distributing an informational brochure for residents facing foreclosure. The brochure will consist of a process map to help residents understand each step in the foreclosure and mediation process. The brochure will also provide a map of the court facilities to help ensure that residents reach the correct location for assistance. The Chicago Community Trust will also develop a poster for distribution and education about the Program. These modifications will ensure that all program service providers are working with uniform and user-friendly materials and bring consistency to communications within the program and among all service providers. This consistency in communications will further enable the program to accommodate and assist more residents facing foreclosure and ensure the highest quality services being provided in the most economically efficient manner. As of May 31, 2011, there were 75,112 mortgage foreclosures pending in the Circuit Court of Cook County. This extension will provide the time necessary to fully evaluate the program modification. The Chicago Community Trust was originally selected to manage the program's community outreach services for a limited period early in March 2010. In October 2010, a Request for Proposals (RFP) process was completed. The Chicago Community Trust submitted the only responsive proposal to the RFP.

Estimated Fiscal Impact: \$632,500.00. Contract extension: August 1, 2011 through July 31, 2012.

***Referred to the Finance Committee on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER GARCIA, MOVED APPROVAL OF COMMUNICATION NO. 313647. THE MOTION CARRIED.

313648 **CHICAGO BAR FOUNDATION (PROPOSED CONTRACT AMENDMENT).** Transmitting a Communication dated June 23, 2011 from Timothy C. Evans, Chief Judge, Circuit Court of Cook County, sponsored by Bridget Gainer, County Commissioner:

requesting authorization for the Purchasing Agent to increase by \$1,223,807.00 and extend for eleven (11) months and two (2) weeks, Contract No. 10-41-33 with the Chicago Bar Foundation, Chicago, Illinois, to provide legal aid and mediation services for the court's Mortgage Foreclosure Mediation Program.

Board approved amount 03/02/10:	\$600,713.00
Previous increase approved 10/05/10:	120,595.00

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Previous increase approved 12/14/10:	241,185.00
Previous increase approved 03/01/11:	321,580.00
This increase requested:	<u>\$1,223,807.00</u>
Adjusted amount:	<u>\$2,507,880.00</u>

Reason: Under this proposed extension, the Chicago Bar Foundation will implement changes to the program developed by the court in consultation with members of the Cook County Board of Commissioners, community outreach groups, housing counseling agencies, legal aid offices, and housing policy and advocate groups. These changes will include adding additional staff attorneys, support staff, and mediators to increase capacity and to improve communications among the Program service providers as well as ensuring timely services provided to the litigants. These modifications will enable the Program to accommodate and assist more residents facing foreclosure and ensure the highest quality control of legal aid and mediation services provided in the most economically efficient manner. An increased capacity will also enable the Court and the Program service providers to complete the mediation process in a timely manner. As of May 31, 2011, there were 75,112 mortgage foreclosures pending in the Circuit Court of Cook County. This extension will provide the time necessary to fully evaluate the program modification. The Chicago Bar Foundation was originally selected to manage the Program's legal aid and mediation services for a limited period early in March 2010. In November 2010, a Request for Proposals (RFP) process was completed. The Chicago Bar Foundation was the only respondent to the RFP.

Estimated Fiscal Impact: \$1,223,807.00. Contract extension: August 1, 2011 through July 31, 2012.

***Referred to the Finance Committee on 07/12/11.**

COMMISSIONER SUFFREDIN, SECONDED BY COMMISSIONER GARCIA, MOVED APPROVAL OF COMMUNICATION NO. 313648. THE MOTION CARRIED.

VICE CHAIRMAN SIMS, SECONDED BY COMMISSIONER REYES, MOVED TO ADJOURN. THE MOTION CARRIED AND THE MEETING WAS ADJOURNED.

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION
WITH REGARD TO THE MATTERS NAMED HEREIN:**

Communication No. 312117	Deferred
Communication No. 312118	Deferred
Communication No. 313155	Receive and File
Communication No. 313634	Deferred
Communication No. 313635	Deferred
Communication No. 313636	Deferred
Communication No. 313637	Deferred
Communication No. 313638	Deferred
Communication No. 313639	Deferred
Communication No. 313640	Deferred
Communication No. 313641	Deferred
Communication No. 313643	Approved
Communication No. 313644	Deferred, as Amended

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Communication No. 313645	Approved
Communication No. 313646	Approved
Communication No. 313647	Approved
Communication No. 313648	Approved

Respectfully submitted,

COMMITTEE ON FINANCE (PUBLIC HEARING)

JOHN P. DALEY, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Daley, seconded by Commissioner Garcia, moved that the Report of the Committee on Finance (Public Hearing) be approved and adopted. **The motion carried unanimously.**

REPORT OF THE FINANCE SUBCOMMITTEE ON LITIGATION

July 12, 2011

The Honorable,
The Board of Commissioners of Cook County

Ladies and Gentlemen,

Your Litigation Subcommittee of the Finance Committee of the Board of Commissioners met pursuant to notice on Tuesday, July 12, 2011 at 1:30 p.m., in the County Building, Room 569, Chicago, Illinois.

ATTENDANCE:

Present: Chairman Silvestri, Commissioners Collins, Fritchey, Schneider, Suffredin and Tobolski (6).

Absent: Vice Chairman Fritchey (1).

Also Present: Patrick Driscoll, Jr. – Deputy State’s Attorney, Chief, Civil Actions Bureau; Donald J. Pechous, Deputy Chief, Civil Actions Bureau; Mark Pera, James Pullos, Joyce E. Schoonover, Anthony Zecchin – Assistant State’s Attorneys; Earl Dunlap – Transitional Administrator, Cook County Juvenile Temporary Detention Center; Elena Demos – General Council, Office of the Clerk of the Circuit Court of Cook County; John Ashenden – Attorney at Law, Law Office of John Ashenden; V. Brett Besinger, Attorney at Law, Hinshaw & Culbertson; Daniel P. Duffy – Attorney at Law, Querry & Harrow, Ltd.; Steven M. Klaczynski – Attorney at Law, Hinshaw & Culbertson; Dominic Lanzito – Attorney at Law, Querry & Harrow, Ltd.; Alastar S. McGrath – Attorney at Law, Kozacky & Weitzel, P.C.; Burton S. Odelson – Attorney at Law, Odelson Sterk, Ltd.; John Roach – Attorney at Law, K&L Gates LLP

Court Reporter: Anthony W. Lisanti, C.S.R.

Commissioner Collins, seconded by Commissioner Tobolski, moved to receive and file the Litigation Subcommittee Status Report submitted by the States Attorney's Office in the matters of *Carol Wise v. Cook County Sheriff's Office* and *Salletheo Smith v. Dr. Ali, et al.* The motion carried.

Commissioner Schneider, seconded by Commissioner Suffredin, moved to convene Executive Session. The motion carried.

Commissioner Suffredin, seconded by Commissioner Gainer, moved to return to Regular Session. The motion carried.

Commissioner Suffredin, seconded by Commissioner Gainer, moved to concur with the recommendation of the State's Attorney's Office in the matter of *George Roby v. County of Cook* No. 09 M1 301145. The motion carried.

Commissioner Suffredin, seconded by Commissioner Gainer, moved to concur with the recommendation of the State's Attorney's Office in the matter of *Harold Hill v. City of Chicago, et al.*, Case No. 08 C 6772. The motion carried

Commissioner Suffredin, seconded by Commissioner Gainer, moved to concur with the recommendation of the State's Attorney's Office in the matter of *Francisco Romero v. Sgt. Mahon, et al.* Case No. 08 C 41. The motion carried.

Commissioner Suffredin, seconded by Commissioner Gainer, moved to moved to concur with the recommendation of the State's Attorney's Office in the matter of *Franklin McKillian v. Investigator Valdez, et al.* Case No. 09 C 4433. The motion carried.

Commissioner Suffredin, seconded by Commissioner Tobolski, moved to receive and file the status update in the matter of *Bobbie Jean Melton v. County of Cook* Case No. 07 L 13889. The motion carried.

Commissioner Suffredin, seconded by Commissioner Tobolski, moved to receive and file the status update in the matter of *Doris Sanford, et al. (Estate of Zariah Williams) v. County of Cook, et al.* Court No. 08 L 10008. The motion carried.

Commissioner Suffredin, seconded by Commissioner Tobolski, moved to receive and file the status update in the matter of *Edward Johnson v. Cook County, et al.* Case No. 11 C 3203. The motion carried.

Commissioner Suffredin, seconded by Commissioner Tobolski, moved to receive and file the status update in the matter of *Jimmy Doe, et al. v. Cook County, et al.* Case No. 99 C 3945. The motion carried.

Commissioner Schneider, seconded by Commissioner Tobolski, moved to receive and file the information submitted in the matter of ongoing litigation initiated by *David Novoselski v. Cook County.* The motion carried.

Commissioner Suffredin, seconded by Commissioner Schneider, moved to concur with the recommendation of the State's Attorney's Office to authorize invoice payments for Special Counsels as listed in Tab #1 through Tab #21 in Volume 2 which are in compliance with the County's Attorney-Fee Guidelines.

JOURNAL OF PROCEEDINGS FOR JULY 27, 2011

Tab 1	Law Office of John R. Ashenden Case No. 03 C 5207	<i>Fairley, et al v. Andrews, et al.</i>
Tab 2	Law Office of John Ashenden Case No. 03 C 5207	<i>Fairley, et al v. Andrews, et al.</i>
Tab 3	Law Office of John Ashenden Case No. 03 C 5207	<i>Fairley, et al v. Andrews, et al.</i>
Tab 4	Law Office of John Ashenden Case No. 03 C 5207	<i>Fairley, et al v. Andrews, et al.</i>
Tab 5	Peterson, Johnson & Murray, S.C. Case No. 03 C 5207	<i>Fairley, et al v. Andrews, et al.</i>
Tab 6	Querry & Harrow, Ltd. Case No. 03 C 5207	<i>Fairley, et al v. Andrews, et al.</i>
Tab 7	Kozacky & Weitzel, P.C. Case No. 03 C 5207	<i>Fairley, et al v. Andrews, et al.</i>
Tab 8	Hinshaw & Culbertson LLP Case No. 03 C 5207	<i>Fairley, et al v. Andrews, et al.</i>
Tab 9	Hinshaw & Culbertson LLP Case No. 69 C 2145	<i>Michael L. Shakman, et al. v. Sheriff of Cook County</i>
Tab 10	K&L Gates LLP Case No. 03 C 5207	<i>Fairley, et al v. Andrews, et al.</i>
Tab 11	Rock Fusco, LLC Case No. 08 C 3613	<i>Lambert v. Jamison, et al.</i>
Tab 12	Rock Fusco, LLC Case No. 10 C 6074	<i>Olayan v. Wasco, et al.</i>
Tab 13	Rock Fusco, LLC Case No. 09 C 5027	<i>Santana v. Cook County, et al.</i>
Tab 14	Rock Fusco, LLC Case No. 10 C 6682	<i>Satkar v. Cook County, et al.</i>
Tab 15	Odelson & Sterk, Ltd. Case No. 06 C 0617	<i>Brown v. Cook County</i>
Tab 16	Hickey, Melia & Associates Case No. 08 L 10026	<i>Diane Bucki v. County of Cook, et al.</i>
Tab 17	Hickey, Melia & Associates Case No. 08 L 04619	<i>Wendy Cash v. Cook County, et al.</i>

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Tab 18	Hickey, Melia & Associates Case No. 04 L 005298	<i>Estate of Sonia Jones v. Cook County, et al.</i>
Tab 19	Querry & Harrow, Ltd. Case No. 04 C 3367	<i>Degorski v. Cook County, et al.</i>
Tab 20	Querry & Harrow, Ltd. Case No. 07 C 855	<i>Hernandez v. Cook County Sheriff's Dept., et al.</i>
Tab 21	Querry & Harrow, Ltd. Case No. 10 C 2946	<i>United States of America v. Cook County, et al.</i>

Commissioner Tobolski seconded by Commissioner Schneider, moved to adjourn. The motion carried unanimously and the meeting was adjourned.

Respectfully submitted,

FINANCE SUBCOMMITTEE ON LITIGATION

PETER N. SILVESTRI, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Silvestri, seconded by Commissioner Steele, moved that the Report of the Finance Subcommittee on Litigation be approved and adopted. **The motion carried unanimously.**

**REPORT OF THE FINANCE ON REAL ESTATE AND BUSINESS
AND ECONOMIC DEVELOPMENT SUBCOMMITTEE**

July 27, 2011

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Garcia, Vice Chairman Murphy, Commissioners Gorman, Schneider and Steele (5).

Absent: Commissioners Butler and Reyes (2).

Also Present: Commissioner Tobolski; and Patrick Driscoll, Jr. – Deputy State's Attorney, Chief, Civil Actions Bureau

Ladies and Gentlemen:

Your Subcommittee on Finance Real Estate and Business and Economic Development of the Board of Commissioners of Cook County met pursuant to notice on Wednesday, July 27, 2011 at the hour of 9:30 A.M. in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

JOURNAL OF PROCEEDINGS FOR JULY 27, 2011

Your Committee has considered the following items and upon adoption of this report, the recommendations are as follows:

- 313610 SYSTEM DEVELOPMENT INTEGRATION, INC. (SDI) (PROPOSED CONTRACT AMENDMENT), Herman Brewer, Director, transmitting a communication, dated May 31, 2011:

requesting authorization for the Purchasing Agent to amend Contract No. 10-41-83 with System Development Integration, Inc. (SDI), Chicago, Illinois for the Juvenile Temporary Detention Center (JTDC) Digital Video Project, to add the design of a new wireless telecommunication infrastructure system.

Reason: The current telecommunications infrastructure at the Juvenile Temporary Detention Center has limited bandwidth and cannot meet the needs of the facility. This new wireless system will allow the facility to utilize a real-time guard tour system and an electronic medical records system.

Estimated Fiscal Impact: \$63,000.00. 32000 Juvenile Temporary Detention Center.

Vendor has met the Minority and Women Business Enterprise Ordinance.

***Referred to the Finance Subcommittee on Real Estate and Business and Economic Development on 07/12/11.**

Vice Chairman Murphy, seconded by Commissioner Schneider, moved approval of Communication No. 313610. The motion carried.

- 313611 DEPARTMENT OF CAPITAL PLANNING AND POLICY, BUREAU OF ECONOMIC DEVELOPMENT (PROPOSED RESOLUTION). Transmitting a Communication dated June 23, 2011 from Herman Brewer, Director:

respectfully submitting this resolution regarding George Gullo Development Corporation's request for a Class 6b property tax incentive for special circumstances and substantial rehabilitation for an industrial building located at 1260 Landmeier Road, Elk Grove Village, Illinois. The applicant has leased the property to Vermak, a metal fabrication company.

George Gullo Development Corporation requests approval of the tax incentive based on the special circumstances that the property has been vacant for more than 24 months, there has been no purchase for value and substantial rehabilitation will be completed under the Class 6b Ordinance. This resolution is required so that the company can complete its application to the Assessor of Cook County.

Submitting a Proposed Resolution sponsored by Toni Preckwinkle, President and Elizabeth "Liz" Doody Gorman, County Commissioner.

PROPOSED RESOLUTION

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an industrial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from Chicago Title Land Trust Company, Trust Company Customer Number: B7900578641, 171 North Clark Street, Suite 575, Chicago, Illinois 60601; Trust Agreement Number 5786 a/k/a George Gullo Development Corporation and Resolution No. 65-10 from the Village of Elk Grove Village for an abandoned industrial facility located at 1260 Landmeier Road, Elk Grove Village, Cook County, Illinois, County Board District #17, Property Index Number: 08-27-400-094-0000; and

WHEREAS, Cook County has defined abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances justify finding that the property is abandoned for the purpose of Class 6b; and

WHEREAS, in the case of abandonment of over 24 months and no purchase for value by a disinterested buyer, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 6b requires a resolution by the County Board validating the property is deemed abandoned for the purposes of Class 6b; and

WHEREAS, the Cook County Board of Commissioners has determined that the building has been abandoned for over 24 months, at the time of application, with no purchase for value and that special circumstances are present; and

WHEREAS, the re-occupancy will create an estimated 15 new full-time jobs, and 10 new part-time jobs and the Village of Elk Grove Village states the Class 6b is necessary for development to occur on this specific real estate. The municipal resolution cites the special circumstances include that the property has been vacant for over 24 months; will have no purchase for value; and is in need of substantial rehabilitation; and

WHEREAS, the applicant acknowledges that it must provide an affidavit to the Assessor's Office stipulating that it is in compliance with the County's Living Wage Ordinance prior to receiving the Class 6b incentive on the subject property.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the property located at 1260 Landmeier Road, Elk Grove Village, Cook County, Illinois, is deemed abandoned with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Office of the Cook County Assessor.

***Referred to the Finance Subcommittee on Real Estate and Business and Economic Development on 07/12/11.**

Commissioner Schneider, seconded by Vice Chairman Murphy, moved approval of Communication No. 313611. The motion carried.

11-R-255

RESOLUTION

Sponsored by

THE HONORABLE TONI PRECKWINKLE, PRESIDENT

AND ELIZABETH "LIZ" DOODY GORMAN, COUNTY COMMISSIONER

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an industrial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from Chicago Title Land Trust Company, Trust Company Customer Number: B7900578641, 171 North Clark Street, Suite 575, Chicago, Illinois 60601; Trust Agreement Number 5786 a/k/a George Gullo Development Corporation and Resolution No. 65-10 from the Village of Elk Grove Village for an abandoned industrial facility located at 1260 Landmeier Road, Elk Grove Village, Cook County, Illinois, County Board District #17, Property Index Number: 08-27-400-094-0000; and

WHEREAS, Cook County has defined abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances justify finding that the property is abandoned for the purpose of Class 6b; and

WHEREAS, in the case of abandonment of over 24 months and no purchase for value by a disinterested buyer, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 6b requires a resolution by the County Board validating the property is deemed abandoned for the purposes of Class 6b; and

WHEREAS, the Cook County Board of Commissioners has determined that the building has been abandoned for over 24 months, at the time of application, with no purchase for value and that special circumstances are present; and

WHEREAS, the re-occupancy will create an estimated 15 new full-time jobs, and 10 new part-time jobs and the Village of Elk Grove Village states the Class 6b is necessary for development to occur on this specific real estate. The municipal resolution cites the special circumstances include that the property has been vacant for over 24 months; will have no purchase for value; and is in need of substantial rehabilitation; and

WHEREAS, the applicant acknowledges that it must provide an affidavit to the Assessor's Office stipulating that it is in compliance with the County's Living Wage Ordinance prior to receiving the Class 6b incentive on the subject property.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the property located at 1260 Landmeier Road, Elk Grove Village, Cook County, Illinois, is deemed abandoned with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Office of the Cook County Assessor.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

313612 DEPARTMENT OF CAPITAL PLANNING AND POLICY, BUREAU OF ECONOMIC DEVELOPMENT (PROPOSED RESOLUTION). Transmitting a Communication dated June 23, 2011 from Herman Brewer, Director:

respectfully submitting this Resolution regarding Gullo International Development Corporation's request for a Class 6b property tax incentive for special circumstances and substantial rehabilitation for an industrial building located at 2316 Touhy Avenue, Elk Grove Village, Illinois. The applicant has leased the property to Marubeni Citizen-Cincom, Inc. who will be using this facility as their North American headquarters for light assembly, warehousing and distribution.

Gullo International Development Corporation requests approval of the tax incentive based on the special circumstances that the property has been vacant for more than 24 months and there has been no purchase for value under the Class 6b Ordinance. This Resolution is required so that the company can complete its application to the Assessor of Cook County.

Submitting a Proposed Resolution sponsored by Toni Preckwinkle, President and Elizabeth "Liz" Doody Gorman, County Commissioner.

PROPOSED RESOLUTION

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification (6b) that provides an applicant a reduction in the assessment level for an industrial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from Giovanni and Maria Gullo Family Limited Partnership a/k/a Gullo International Development Corporation and Resolution No. 31-10 from the Village of Elk Grove Village for an abandoned industrial 1 facility located at 2316 Touhy Avenue, Elk Grove Village, Cook County, Illinois, County Board District #17, Property Index Number: 08-26-403-020-0000; and

WHEREAS, Cook County has defined abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances justify finding that the property is abandoned for the purpose of Class (6b); and

WHEREAS, in the case of abandonment of over 24 months and no purchase for value by a disinterested buyer, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class (6b) requires a resolution by the County Board validating the property is deemed abandoned for the purposes of Class (6b); and

WHEREAS, the Cook County Board of Commissioners has determined that the building has been abandoned for 25 months, at the time of application, with no purchase for value and that special circumstances are present; and

WHEREAS, the re-occupancy will create an estimated 15 new full-time job(s); and the tenant hopes to add more employees should its business thrive at the subject property. The Village of Elk Grove Village states the Class (6b) is necessary for development to occur on this specific real estate. The municipal resolution cites the special circumstances include that the property has been vacant for over 24 months; and will have no purchase for value; and

WHEREAS, the applicant acknowledges that it must provide an affidavit to the Assessor's Office stipulating that it is in compliance with the County's Living Wage Ordinance prior to receiving the Class (6b) incentive on the subject property.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the property located at 2316 Touhy Ave., Elk Grove Village, Cook County, Illinois, is deemed abandoned with special circumstances under the Class (6b); and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Office of the Cook County Assessor.

***Referred to the Finance Subcommittee on Real Estate and Business and Economic Development on 07/12/11.**

313613 DEPARTMENT OF CAPITAL PLANNING AND POLICY, BUREAU OF ECONOMIC DEVELOPMENT (PROPOSED RESOLUTION). Transmitting a Communication dated June 23, 2011 from Herman Brewer, Director:

respectfully submitting this resolution regarding Scalet Real Estate Holdings, LLC's request for a Class 6b property tax incentive for special circumstances and substantial rehabilitation for an industrial building located at 1390 Howard Street, Elk Grove Village, Illinois. The applicant intends to lease the property to their own company, Gem Exteriors, Inc., for the warehousing and distribution of roofing and side equipment parts.

Scalet Real Estate Holdings, LLC requests approval of the tax incentive based on the special circumstances that the property has been vacant for less than 24 months, has been purchase for value and substantial rehabilitation will be completed under the Class 6b Ordinance. This resolution is required so that the company can complete its application to the Assessor of Cook County.

Submitting a Proposed Resolution sponsored by Toni Preckwinkle, President and Elizabeth "Liz" Doody Gorman, County Commissioner.

PROPOSED RESOLUTION

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an industrial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from Scalet Real Estate Holdings, LLC and Resolution No. 3-11 from the Village of Elk Grove Village for an abandoned industrial facility located at 1390 Howard Street, Elk Grove Village, Cook County, Illinois, County Board District #17, Property Index Number: 08-27-203-031-0000; and

WHEREAS, Cook County has defined abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances justify finding that the property is abandoned for purpose of Class 6b; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value, by a purchaser in whom the seller has no direct financial interest, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 6b requires the validation by the County Board of the shortened period of qualifying abandonment in cases where the facility has been abandoned for less than 24 consecutive months upon purchase for value; and

WHEREAS, the Cook County Board of Commissioners has determined that the building was abandoned for 22 months at the time of application, and that special circumstances are present; and

WHEREAS, the applicant estimates that the re-occupancy will create five (5) to seven (7) new full-time jobs within the next two (2) years; retain 10 full-time jobs and; and create two (2) to seven (7) construction jobs; and

WHEREAS, the Village of Elk Grove Village states the Class 6b is necessary for development to occur on this specific real estate. The municipal resolution cites that special circumstances exist which include the subject property has been vacant for less than 24 months; there will be a purchase for value; and that the subject property is in need of substantial rehabilitation; and

WHEREAS, the applicant acknowledges that it must provide an affidavit to the Assessor's Office stipulating that it is in compliance with the County's Living Wage Ordinance prior to receiving the Class 6b incentive on the subject property.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, State of Illinois, that the President and Board of Commissioners validate the property located at 1390 Howard Street, Elk Grove Village, Cook County, Illinois, is deemed abandoned with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Office of the Cook County Assessor.

***Referred to the Finance Subcommittee on Real Estate and Business and Economic Development on 07/12/11.**

Commissioner Gorman, seconded by Commissioner Schneider, moved approval of Communication Nos. 313612 and 313613. The motion carried.

**11-R-256
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT
AND ELIZABETH "LIZ" DOODY GORMAN, COUNTY COMMISSIONER**

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification (6b) that provides an applicant a reduction in the assessment level for an industrial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from Giovanni and Maria Gullo Family Limited Partnership a/k/a Gullo International Development Corporation and Resolution No. 31-10 from the Village of Elk Grove Village for an abandoned industrial facility located at 2316 Touhy Avenue, Elk Grove Village, Cook County, Illinois, County Board District #17, Property Index Number: 08-26-403-020-0000; and

WHEREAS, Cook County has defined abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances justify finding that the property is abandoned for the purpose of Class (6b); and

WHEREAS, in the case of abandonment of over 24 months and no purchase for value by a disinterested buyer, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class (6b) requires a resolution by the County Board validating the property is deemed abandoned for the purposes of Class (6b); and

WHEREAS, the Cook County Board of Commissioners has determined that the building has been abandoned for 25 months, at the time of application, with no purchase for value and that special circumstances are present; and

WHEREAS, the re-occupancy will create an estimated 15 new full-time job(s); and the tenant hopes to add more employees should its business thrive at the subject property. The Village of Elk Grove Village states the Class (6b) is necessary for development to occur on this specific real estate. The municipal resolution cites the special circumstances include that the property has been vacant for over 24 months; and will have no purchase for value; and

WHEREAS, the applicant acknowledges that it must provide an affidavit to the Assessor's Office stipulating that it is in compliance with the County's Living Wage Ordinance prior to receiving the Class (6b) incentive on the subject property.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the property located at 2316 Touhy Ave., Elk Grove Village, Cook County, Illinois, is deemed abandoned with special circumstances under the Class (6b); and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Office of the Cook County Assessor.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

* * * * *

**11-R-257
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT
AND ELIZABETH "LIZ" DOODY GORMAN, COUNTY COMMISSIONER**

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an industrial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from Scalet Real Estate Holdings, LLC and Resolution No. 3-11 from the Village of Elk Grove Village for an abandoned industrial facility located at 1390 Howard Street, Elk Grove Village, Cook County, Illinois, County Board District #17, Property Index Number: 08-27-203-031-0000; and

WHEREAS, Cook County has defined abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances justify finding that the property is abandoned for purpose of Class 6b; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value, by a purchaser in whom the seller has no direct financial interest, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 6b requires the validation by the County Board of the shortened period of qualifying abandonment in cases where the facility has been abandoned for less than 24 consecutive months upon purchase for value; and

WHEREAS, the Cook County Board of Commissioners has determined that the building was abandoned for 22 months at the time of application, and that special circumstances are present; and

WHEREAS, the applicant estimates that the re-occupancy will create five (5) to seven (7) new full-time jobs within the next two (2) years; retain 10 full-time jobs and; and create two (2) to seven (7) construction jobs; and

WHEREAS, the Village of Elk Grove Village states the Class 6b is necessary for development to occur on this specific real estate. The municipal resolution cites that special circumstances exist which include the subject property has been vacant for less than 24 months; there will be a purchase for value; and that the subject property is in need of substantial rehabilitation; and

WHEREAS, the applicant acknowledges that it must provide an affidavit to the Assessor's Office stipulating that it is in compliance with the County's Living Wage Ordinance prior to receiving the Class 6b incentive on the subject property.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, State of Illinois, that the President and Board of Commissioners validate the property located at 1390 Howard Street, Elk Grove Village, Cook County, Illinois, is deemed abandoned with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Office of the Cook County Assessor.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

313614 DEPARTMENT OF CAPITAL PLANNING AND POLICY, BUREAU OF ECONOMIC DEVELOPMENT (PROPOSED RESOLUTION). Transmitting a Communication dated June 23, 2011 from Herman Brewer, Director:

respectfully submitting this resolution regarding Entropy Consortium II, LLC's request for a Class 6b property tax incentive for special circumstances and substantial rehabilitation of four industrial buildings located at 11100 Belmont Avenue, Franklin Park, Illinois. The applicant intends to lease a portion of one (1) of the three (3) buildings to its own company, Hill Mechanical Group for manufacturing, warehousing and distribution of its products. In addition, Entropy will complete over seven (7) million dollars of substantial rehabilitation on all buildings and lease to industrial users.

Entropy Consortium II, LLC requests approval of the tax incentive based on the special circumstances that the property has been vacant for less than 24 months at the time of application, has been purchase for value and substantial rehabilitation will be completed under the Class 6b Ordinance. This resolution is required so that the company can complete its application to the Assessor of Cook County.

Submitting a Proposed Resolution sponsored by Toni Preckwinkle, President and Jeffrey R. Tobolski, ~~Elizabeth "Liz" Doody Gorman~~, County Commissioner.

PROPOSED RESOLUTION

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an industrial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from Entropy Consortium II, LLC and Resolution No. 0910-R-36 from the Village of Franklin Park for abandoned industrial facilities located at 11100 Belmont Avenue, 3201 Wolf Road and 3205 Wolf Road, Franklin Park, Cook County, Illinois, County Board District # 16, with all buildings being contained within the same Property Index Number: 12-20-300-003-0000; and

WHEREAS, Cook County has defined abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, In the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances justify finding that the property is abandoned for purpose of Class 6b; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value by a disinterested buyer, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 6b requires a resolution by the County Board validating the property is deemed abandoned for the purposes of Class 6b; and

WHEREAS, the Cook County Board of Commissioners has determined that two (2) of the three (3) buildings were vacant for 14 months at the time of application and the third (3rd) building was vacant for one (1) month at the time of application, and that special circumstances are present; and

WHEREAS, the re-occupancy will create 25 new full time jobs currently; additional jobs to be determined based on the tenants that our secured; retain 850 full time jobs and retain five (5) part time jobs. The Village of Franklin Park states the Class 6b is necessary for development to occur on this specific real estate. The municipal Resolution cites the special circumstances including the property was vacant for less than 24 months at the time of purchase and the applicant intends to substantially rehabilitate each building; and

WHEREAS, the applicant acknowledges that it must provide an affidavit to the Assessor's Office stipulating that it is in compliance with the County's Living Wage Ordinance prior to receiving the Class 6b incentive on the subject property.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the property located at 11100 Belmont Avenue, Franklin Park, Cook County, Illinois, is deemed abandoned with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Office of the Cook County Assessor.

***Referred to the Finance Subcommittee on Real Estate and Business and Economic Development on 07/12/11.**

Commissioner Schneider, seconded by Commissioner Gorman, moved approval of Communication No. 313614. The motion carried.

**11-R-258
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT
AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONER**

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an industrial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from Entropy Consortium II, LLC and Resolution No. 0910-R-36 from the Village of Franklin Park for abandoned industrial facilities located at 11100 Belmont Avenue, 3201 Wolf Road and 3205 Wolf Road, Franklin Park, Cook County, Illinois, County Board District # 16, with all buildings being contained within the same Property Index Number: 12-20-300-003-0000; and

WHEREAS, Cook County has defined abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, In the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances justify finding that the property is abandoned for purpose of Class 6b; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value by a disinterested buyer, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 6b requires a resolution by the County Board validating the property is deemed abandoned for the purposes of Class 6b; and

WHEREAS, the Cook County Board of Commissioners has determined that two (2) of the three (3) buildings were vacant for 14 months at the time of application and the third (3rd) building was vacant for one (1) month at the time of application, and that special circumstances are present; and

WHEREAS, the re-occupancy will create 25 new full time jobs currently; additional jobs to be determined based on the tenants that our secured; retain 850 full time jobs and retain five (5) part time jobs. The Village of Franklin Park states the Class 6b is necessary for development to occur on this specific real estate. The municipal Resolution cites the special circumstances including the property was vacant for less than 24 months at the time of purchase and the applicant intends to substantially rehabilitate each building; and

WHEREAS, the applicant acknowledges that it must provide an affidavit to the Assessor's Office stipulating that it is in compliance with the County's Living Wage Ordinance prior to receiving the Class 6b incentive on the subject property.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the property located at 11100 Belmont Avenue, Franklin Park, Cook County, Illinois, is deemed abandoned with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Office of the Cook County Assessor.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

313615 DEPARTMENT OF CAPITAL PLANNING AND POLICY, BUREAU OF ECONOMIC DEVELOPMENT (PROPOSED RESOLUTION). Transmitting a Communication dated June 23, 2011 from Herman Brewer, Director:

respectfully submitting this resolution regarding Ralph Edgar a/k/a Chicago Title Land Trust Company's request for a Class 8 property tax incentive for special circumstances for a commercial building located at 530 Torrence Avenue, Calumet City, Illinois. The applicant is currently marketing the property, which is structurally designed as a commercial banking branch to banking institutions.

Ralph Edgar a/k/a Chicago Title Land Trust Company requests approval of the tax incentive based on the special circumstances that the property has been vacant for less than 24 months and has been purchased for value under the Class 8 Ordinance. This resolution is required so that the company can complete its application to the Assessor of Cook County.

Submitting a Proposed Resolution sponsored by Toni Preckwinkle, President and William M. Beavers, County Commissioner.

PROPOSED RESOLUTION

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 8 that provides an applicant a reduction in the assessment level for an commercial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from Ralph Edgar a/k/a Chicago Title Land Trust Company, Trust No. 8002356204 and Resolution No. 11-1 from the City of Calumet City for an abandoned industrial facility located at 530 Torrence Avenue, Calumet City, Cook County, Illinois, County Board District #4, Property Index Numbers: 29-12-415-017-0000; 29-12-415-018-0000; 29-12-415-019-0000; 29-12-415-020-0000; 29-12-415-021-0000; 29-12-415-022-0000; 29-12-415-023-0000; 29-12-415-024-0000; and 29-12-415-025-0000; and

WHEREAS, Cook County has defined abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances justify finding that the property is abandoned for purpose of Class 8; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value, by a purchaser in whom the seller has no direct financial interest, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 8 requires the validation by the County Board of the shortened period of qualifying abandonment in cases where the facility has been abandoned for less than 24 consecutive months upon purchase for value; and

WHEREAS, the Cook County Board of Commissioners has determined that the building was abandoned for nine (9) months at the time of application, and that special circumstances are present; and

WHEREAS, the applicant estimates that the re-occupancy will create eight (8) new full-time job and two (2) part-time jobs; and create 10 construction jobs; the applicant currently retains 10 full-time jobs and two (2) part time jobs; and

WHEREAS, the City of Calumet City states that the Class 8 tax incentive is necessary for development to occur on this specific real estate and that special circumstances exist which include the subject property has been vacant for less than 24 months; there has been a purchase for value; and that the subject property is in need of substantial rehabilitation; and

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, State of Illinois, that the President and Board of Commissioners validate the property located at 530 Torrence Avenue, Calumet City, Cook County, Illinois, is deemed abandoned with special circumstances under the Class 8; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Office of the Cook County Assessor.

***Referred to the Finance Subcommittee on Real Estate and Business and Economic Development on 07/12/11.**

Commissioner Schneider, seconded by Commissioner Steele, moved approval of Communication No. 313615. The motion carried.

**11-R-259
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT
AND WILLIAM M. BEAVERS, COUNTY COMMISSIONER**

JOURNAL OF PROCEEDINGS FOR JULY 27, 2011

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 8 that provides an applicant a reduction in the assessment level for an commercial facility; and

WHEREAS, the County Board of Commissioners has received and reviewed an application from Ralph Edgar a/k/a Chicago Title Land Trust Company, Trust No. 8002356204 and Resolution No. 11-1 from the City of Calumet City for an abandoned industrial facility located at 530 Torrence Avenue, Calumet City, Cook County, Illinois, County Board District #4, Property Index Numbers: 29-12-415-017-0000; 29-12-415-018-0000; 29-12-415-019-0000; 29-12-415-020-0000; 29-12-415-021-0000; 29-12-415-022-0000; 29-12-415-023-0000; 29-12-415-024-0000; and 29-12-415-025-0000; and

WHEREAS, Cook County has defined abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 months, are purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances justify finding that the property is abandoned for purpose of Class 8; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value, by a purchaser in whom the seller has no direct financial interest, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 8 requires the validation by the County Board of the shortened period of qualifying abandonment in cases where the facility has been abandoned for less than 24 consecutive months upon purchase for value; and

WHEREAS, the Cook County Board of Commissioners has determined that the building was abandoned for nine (9) months at the time of application, and that special circumstances are present; and

WHEREAS, the applicant estimates that the re-occupancy will create eight (8) new full-time job and two (2) part-time jobs; and create 10 construction jobs; the applicant currently retains 10 full-time jobs and two (2) part time jobs; and

WHEREAS, the City of Calumet City states that the Class 8 tax incentive is necessary for development to occur on this specific real estate and that special circumstances exist which include the subject property has been vacant for less than 24 months; there has been a purchase for value; and that the subject property is in need of substantial rehabilitation; and

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, State of Illinois, that the President and Board of Commissioners validate the property located at 530 Torrence Avenue, Calumet City, Cook County, Illinois, is deemed abandoned with special circumstances under the Class 8; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Office of the Cook County Assessor.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

JOURNAL OF PROCEEDINGS FOR JULY 27, 2011

Attest: DAVID ORR, County Clerk

Chairman Suffredin asked the Secretary to the Board to call upon the registered public speaker, in accordance with Cook County Code, Sec. 2-107(dd).

PUBLIC SPEAKER:

1. George Blakemore, Concerned Citizen

Commissioner Schneider moved to adjourn the meeting, seconded by Commissioner Gorman. The motion carried and the meeting was adjourned.

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION
WITH REGARD TO THE MATTER NAMED HEREIN:**

Communication No. 313610	Approved
Communication No. 313611	Approved
Communication No. 313612	Approved
Communication No. 313613	Approved
Communication No. 313614	Approved
Communication No. 313615	Approved

Respectfully submitted,

FINANCE SUBCOMMITTEE ON REAL ESTATE AND BUSINESS
AND ECONOMIC DEVELOPMENT

JESUS G. GARCIA, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Garcia, seconded by Commissioner Steele, moved that the Report of the Finance Subcommittee on Real Estate and Business and Economic Development be approved and adopted. **The motion carried unanimously.**

REPORT OF THE FINANCE SUBCOMMITTEE ON WORKERS' COMPENSATION

July 12, 2011

The Honorable,
The Finance Committee of
The Board of Commissioners
of Cook County,

Ladies and Gentlemen,

Your Fiance Subcommittee on Workers' Compensation of the Board of Commissioners met pursuant to notice Tuesday, June 12, 2011 at 11:30 a.m., in Room 569 of the County Building, 118 N. Clark Street.

ATTENDANCE:

Present: Chairman Schneider, Vice Chairman Reyes, Commissioners Fritchey, Garcia and Tobolski (4).

Absent: None (0).

Commissioner Tobolski, seconded by Commissioner Garcia moved that the Finance Subcommittee on Workers' Compensation convene in Executive Session to consider matters of pending Workers' Compensation. The motion carried.

Commissioner Tobolski, seconded by Commissioner Garcia moved that the Finance Subcommittee on Workers' Compensation convene in Open Session to consider the matters of pending Workers' Compensation. The motion carried.

Commissioner Tobolski, seconded by Commissioner Garcia moved approval of the cases over \$25,000.00. The motion carried.

1. Settlements

A. County Government

BATTAGLIA, ANTHONY
08 WC 55079

\$56,538.20

The Petitioner sustained injuries to his back, left arm, left shoulder, and left hand after his vehicle was rear ended.

Commissioner Tobolski, seconded by Commissioner Garcia, moved approval. The motion carried.

HALL, WILLIAM
10 WC 32126

\$43,708.06

The Petitioner was retrieving breakfast trays when he slipped on water on the floor from a resident flooding his toilet. He hit his knee on the room door and grabbed the door with his right arm to break his fall.

10 WC 32127

The Petitioner was allowing a co-worker to pass with residents and hit his left knee on the desk.

Commissioner Tobolski, seconded by Commissioner Garcia, moved approval. The motion carried.

PALMERI, MICHAEL
10 WC 43428

\$66,472.00

While the Petitioner was picking up a steel plate to put on a fork lift the Petitioner felt a sharp pain in his lower back.

Commissioner Tobolski, seconded by Commissioner Garcia, moved approval. The motion carried.

TAFF, MICHAEL

\$26,953.58

11 WC 03456

The Petitioner tripped over a support wire (holding a tree) and twisted his right knee.

Commissioner Tobolski, seconded by Commissioner Garcia, moved approval. The motion carried.

2. Decisions

TENUTO, SAM
10 WC 23100

\$29,288.72

The Petitioner developed acute pain in his right hand and arm while repetitively performing fingerprinting duties.

Commissioner Tobolski, seconded by Commissioner Garcia, moved approval. The motion carried.

Chairman Schneider asked the Secretary to the Board to call upon the registered public speaker, in accordance with Cook County Code, Sec. 2-107(dd):

PUBLIC SPEAKER:

1. George Blakemore – Concerned Citizen

Commissioner Tobolski, seconded by Vice Chairman Reyes, moved to adjourn. The motion carried unanimously and the meeting was adjourned.

Respectfully submitted,

FINANCE SUBCOMMITTEE ON WORKERS' COMPENSATION

CHAIRMAN TIMOTHY O. SCHNEIDER, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Schneider, seconded by Commissioner Steele, moved that the Report of the Finance Subcommittee on Workers' Compensation be approved and adopted. **The motion carried unanimously.**

REPORT OF THE COMMITTEE ON ENVIRONMENTAL CONTROL

July 27, 2011

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Gorman, Commissioners Murphy, Schneider, Silvestri and Tobolski (5).

Absent: Vice Chairman Steele and Commissioner Gainer (2).

JOURNAL OF PROCEEDINGS FOR JULY 27, 2011

Also Present: Anna Ashcraft – Director of Real Estate Management; Kevin Givens – Deputy Director, Environmental Control; Bob Smith – Midwest Group Director, Noresco, LLC

Ladies and Gentlemen:

Your Committee on Environmental Control of the Board of Commissioners of Cook County met pursuant to notice on Wednesday, July 27, 2011 at the hour of 9:15 A.M. in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

Your Committee has considered the following item and, upon adoption of this report, the recommendation is as follows:

313609 NORESKO, LLC (PROPOSED CONTRACT), Herman Brewer, Director, transmitting a communication, dated June 17, 2011:

requesting authorization for the Purchasing Agent to enter into and execute a contract with Noresco, LLC, Des Plaines, Illinois, for a Guaranteed Energy Performance Contracting Project. Phase 1 of this contract provides for engineering services for an investment grade energy audit of the Department of Corrections Campus and the Juvenile Temporary Detention Center. Noresco, LLC was selected through a Request for Qualifications (RFQ)/Request for Proposal (RFP) process as highly qualified and offering a competitive price.

Reason: This contract provides for a guaranteed energy performance contracting project at the Department of Corrections and the Juvenile Temporary Detention Center campuses. The goal of the project is to identify and implement identifying energy conservation measures (ECMs) that will result in at least a 10% reduction in emissions and energy costs as compared to a Base Year, throughout a 15 year financing period. Phase 1 consists of a comprehensive investment grade audit of 13 buildings on the Department of Corrections and Criminal Courts Campus. If the ECMs identified are estimated to achieve cost savings sufficient to cover financing of the ECMs, the parties will negotiate in good faith the terms of Phase 2, pursuant to which Noresco, LLC will perform engineering and construction services to implement the agreed upon ECMs. If adequate cost savings to cover the financing costs cannot be identified, the County has no obligation to pay for the audit. If adequate savings are identified but the County chooses not to enter into a GEPC or chooses not to finance the conservation measures, the County will pay the actual cost of the audit, up to a maximum of \$149,000.00.

This is a joint project undertaken by the Office of Capital Planning and Policy, the Department of Environmental Control, and the Bureau of Finance. This is categorized as an energy efficiency project.

Estimated Fiscal Impact: \$149,000.00. Contract Period July 27, 2011-July 26, 2013

20000 County Physical Plant.

***Referred to the Environmental Control Committee on 07/12/11.**

Commissioner Tobolski, seconded by Commissioner Schneider, moved the approval of Communication No. 313609, as amended. The motion carried.

Commissioner Murphy voted “present”.

Chairman Gorman asked the Secretary to the Board to call upon the registered public speaker, in accordance with Cook County Code, Sec. 2-107(dd):

PUBLIC SPEAKER:

1. George Blakemore – Concerned Citizen

Commissioner Silvestri moved to adjourn the meeting, seconded by Commissioner Tobolski. The motion carried and the meeting was adjourned.

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION
WITH REGARD TO THE MATTER NAMED HEREIN:**

Communication Number 313609

Approved, as amended

Respectfully submitted,

COMMITTEE ON ENVIRONMENTAL CONTROL

ELIZABETH “LIZ” DOODY GORMAN, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Gorman, seconded by Commissioner Murphy, moved that the Report of the Committee on Environmental Control be approved and adopted. **The motion carried unanimously.**

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

July 27, 2011

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Suffredin, Vice Chairman Gorman, Commissioners Daley, Schneider, Sims and Steele (6).

Absent: Commissioners Fritchey, Gainer and Silvestri (3).

Also Present: Commissioner Tobolski; Patrick Driscoll, Jr. – Deputy State’s Attorney, Chief, Civil Actions Bureau

Ladies and Gentlemen:

JOURNAL OF PROCEEDINGS FOR JULY 27, 2011

Your Committee on Rules and Administration of the Board of Commissioners of Cook County met pursuant to notice on Wednesday, July 27, 2011 at the hour of 9:45 A.M. in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

Your Committee has considered the following items and upon adoption of this report, the recommendations are as follows:

310945 COOK COUNTY CLERK, David Orr, presented in printed form a record of the Journal of the Proceedings of the meeting held on Wednesday, December 1, 2010.

Vice Chairman Gorman, seconded by Commissioner Steele, moved approval of Communication No. 310945. The motion carried.

313880 COOK COUNTY CLERK, David Orr, presented in printed form a record of the Journal of the Proceedings of the meeting held on Tuesday, June 14, 2011.

Vice Chairman Gorman, seconded by Commissioner Daley, moved approval of Communication No. 313880. The motion carried.

313888 COOK COUNTY CLERK, David Orr, presented in printed form a record of the Journal of the Proceedings of the meetings held on January 12 through November 16, 2010.

Vice Chairman Gorman, seconded by Commissioner Steele, moved approval of Communication No. 313888. The motion carried.

Commissioner Daley stated that he was submitting a letter showing corrections to the various journals and that he would like the letter to be made part of the record.

Chairman Suffredin asked the Secretary to the Board to call upon the registered public speaker, in accordance with Cook County Code, Sec. 2-107(dd).

PUBLIC SPEAKER:

1. George Blakemore, Concerned Citizen

Vice Chairman Gorman moved to adjourn the meeting, seconded by Commissioner Daley. The motion carried and the meeting was adjourned.

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION
WITH REGARD TO THE MATTER NAMED HEREIN:**

Communication No. 310945	Approved
Communication No. 313880	Approved
Communication No. 313888	Approved

Respectfully submitted,

COMMITTEE ON RULES AND ADMINISTRATION

LARRY SUFFREDIN, Chairman

ATTEST: MATTHEW B. DeLEON, Secretary

Commissioner Suffredin, seconded by Commissioner Murphy, moved that the Report of the Committee on Rules and Administration be approved and adopted. **The motion carried unanimously.**

SECRETARY TO THE BOARD OF COMMISSIONERS

REQUEST TO AMEND A PREVIOUSLY APPROVED CONTRACT ADDENDUM

Transmitting a Communication, dated July 20, 2011 from

MATTHEW B. DeLEON, Secretary to the Board of Commissioners

requesting that the Board of Commissioners approve as amended the following Contract Addendum, which was previously approved on the February 15, 2011 Board Agenda, (Item #9).

Approval of this change will allow the Secretary to the Board to access FY2011 funding provided by the Board and match it with the authority to work with the specific vendor previously approved and named here. The Secretary to the Board intends to access this funding in order to facilitate two budget hearing cycles within the same fiscal year.

The amendment is indicated by the underscored and stricken language.

Transmitting a Communication, dated January 27, 2011 from

MATTHEW B. DeLEON, Secretary to the Board of Commissioners

requesting authorization for the Purchasing Agent to extend for nine (9) months and increase Contract No. 10-41-17 with AWL Reporting Services, Chicago, Illinois, to provide transcribing services for the Board of Commissioners of Cook County.

Reason: This extension will allow for continuity of service for the Board of Commissioners through the balance of the FY 2011 using FY 2010 funds. Approximately \$29,436.00 remains on this contract. The expiration date of the current contract is February 28, 2011.

Estimated Fiscal Impact: ~~None~~ \$30,000.00. Contract extension: March 1, 2011 through November 30, 2011.

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to amend the requested contract addendum. **The motion carried unanimously.**

BUREAU OF ADMINISTRATION

PERMISSION TO ADVERTISE

Transmitting a Communication, dated June 10, 2011 from

ROBIN KELLY, Chief Administrative Officer

requesting authorization for the Purchasing Agent to advertise for bids for the collection, recycling and disposal of electronic waste for the Bureau of Administration.

Contract period: September 1, 2011 through August 31, 2013. (011-215 Account).

The Purchasing Agent concurs.

Commissioner Gorman, seconded by Commissioner Steele, moved that the County Purchasing Agent be authorized to advertise for bids. **The motion carried unanimously.**

OFFICE OF THE COOK COUNTY ASSESSOR

PERMISSION TO ADVERTISE

Transmitting a Communication, dated July 14, 2011 from

JOSEPH BERRIOS, Cook County Assessor

requesting authorization for the Purchasing Agent to advertise for bids for the purchase of services for printing and processing of renewal booklets and forms for 2012 exemptions.

Contract period: December 1, 2011 through November 30, 2012. (040-240 Account).

Approval of this item would commit Fiscal Year 2012 funds.

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to advertise for bids. **The motion carried unanimously.**

CONTRACT

Transmitting a Communication, dated June 23, 2011 from

JOSEPH BERRIOS, Cook County Assessor

requesting authorization for the Purchasing Agent to enter into a contract with Michael J. Shine Consulting, Chicago, Illinois, to be the management consultant for the transition of the Assessor's Office.

Reason: Michael J. Shine was chosen because of his experience as a senior executive in providing advice to elected officials during the office's initial transition. He has ten years experience working as a chief of staff for an elected official in Cook County government, responsible for advising County offices employment practices; labor/union relations and negotiations; government budget preparation and process; government procurement procedures; legislative agenda actions; and coordination of intergovernmental communications and operations. He was brought in specifically to aid the Cook County Treasurer's Office when the new Treasurer and administration was transitioning into place. Michael J. Shine was responsible for

planning, organizing and implementing management reorganization along with consulting and coordination with local unions that represented a majority of the staff. He is likely the only management consultant with the necessary skills and abilities to meet the requirements set forth by the CCAO in its search for a consultant to aid in the current transition.

Estimated Fiscal Impact: \$32,000.00. Contract period: June 1, 2011 through December 31, 2011. (040-260 Account).

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried unanimously.**

DEPARTMENT OF BUDGET AND MANAGEMENT SERVICES

BOND SERIES STATUS REPORT FOR THE 2ND QUARTER OF 2011 FISCAL YEAR

Transmitting a Communication, dated July 19, 2011 from

ANDREA GIBSON, Director, Department of Budget and Management Services

submitting the Bond Series Status Report for the 2nd Quarter of 2011 Fiscal Year, ending May 31, 2011 in accordance with FY 2011 Resolution Section Number 15. The report will be provided on a quarterly basis and presents the various projects separated by Category Number and the funding used and required during project life cycle. A summary of the Category amounts is provided along with the individual projects under each category. The report also presents the amount of future funding that will be required to complete currently approved projects.

Commissioner Daley, seconded by Commissioner Sims, moved that the communication be received and filed. **The motion carried unanimously.**

OFFICE OF CAPITAL PLANNING AND POLICY

PERMISSION TO ADVERTISE

Transmitting a Communication, dated June 21, 2011 from

HERMAN BREWER, Director, Office of Capital Planning and Policy

requesting authorization for the Purchasing Agent to advertise for bids for the Clean Steam Piping Replacement Project at Stroger Hospital of Cook County.

This project is to repair and replace corroded piping and components at Stroger Hospital of Cook County. The current clean steam system is subject to severe corrosion and leaks in the condensate system and its components/fittings. Continuous problems and damage include but are not limited to deterioration of supply and condensate piping, threaded joints, elbows, steam traps, and jacketed kettles.

22000 John H. Stroger Jr., Hospital.

This item has been submitted to the Finance Committee of the Health & Hospitals System for approval at their July 22, 2011 Finance Meeting.

Commissioner Murphy, seconded by Commissioner Steele, moved that the County Purchasing Agent be authorized to advertise for bids. **The motion carried unanimously.**

CONTRACT

Transmitting a Communication, dated June 17, 2011 from

HERMAN BREWER, Director, Office of Capital Planning and Policy

requesting authorization for the Purchasing Agent to enter into and execute a contract with Johnson Controls, Inc., Milwaukee, Wisconsin (JCI), for a Guaranteed Energy Performance Contracting Project. Phase 1 of this contract provides for engineering services for an investment grade energy audit of the Stroger Hospital of Cook County Campus. Johnson Controls was selected through a Request for Qualifications/Request for Proposals process as highly qualified and offering a competitive price.

Reason: This contract provides for a guaranteed energy performance contracting project at the Stroger Hospital of Cook County Campus. The goal of the project is to identify and implement identifying energy conservation measures (ECMs) that will result in at least a 10% reduction in emissions and energy costs as compared to a Base Year, throughout a 15 year financing period. Phase 1 consists of a comprehensive investment grade audit. If the ECMs identified are estimated to achieve cost savings sufficient to cover financing of the ECMs, the parties will negotiate in good faith the terms of Phase 2, pursuant to which JCI will perform engineering and construction services to implement the agreed upon ECMs. If adequate cost savings to cover the financing costs cannot be identified, the County has no obligation to pay for the audit. If adequate savings are identified but the County chooses not to enter into a GEPC or chooses not to finance the conservation measures, the County will pay the actual cost of the audit, up to a maximum of \$143,026.00.

This is a joint project undertaken by the Office of Capital Planning and Policy, the Department of Environmental Control and the Bureau of Finance. This is categorized as an energy efficiency project.

Estimated Fiscal Impact: \$ 143,026.00. 28000 Cook County Health & Hospitals.

Contract Term: Two years, commencing on the date of Board approval.

This item has been submitted to the Finance Committee for the Health & Hospitals System for approval at their July 22, 2011 Finance Meeting.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Gorman, seconded by Commissioner Silvestri, moved that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried unanimously.**

PROJECT STATUS REPORT

Transmitting a Communication, dated June 20, 2011 from

HERMAN BREWER, Director, Office of Capital Planning and Policy

submitting the Project Status Report for the second quarter ending May 31, 2011.

Commissioner Gorman, seconded by Commissioner Silvestri, moved that the request of the Director of the Office of Capital Planning and Policy be approved. **The motion carried unanimously.**

CLERK OF THE CIRCUIT COURT

CONTRACT ADDENDUM

Transmitting a Communication, dated July 5, 2011 from

DOROTHY A. BROWN, Clerk of the Circuit Court

requesting authorization for the Purchasing Agent to increase by \$6,000.00 and extend for three (3) months, Contract No. 10-84-2560 with Advantage Microfilm Services, Inc., Lake In The Hills, IL, for Maintenance of Micrographic Equipment, Miscellaneous and Canon.

Open Market Purchase (OMP) approved amount 10-04-10: \$24,000.00

Increase requested: 6,000.00

Adjusted amount: \$30,000.00

Reason: The extension of this contract is needed to allow sufficient time to bid and award the new contract while maintaining coverage on all equipment. The expiration date of the current contract is August 2, 2011.

Estimated Fiscal Impact: \$6,000.00. Contract extension: August 3, 2011 through November 2, 2011. (529-441 Account).

Sufficient funds are available in the Clerk of the Circuit Court Document Storage Fund.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Collins, seconded by Commissioner Butler, moved that the County Purchasing Agent be authorized to increase and extend the requested contract. **The motion carried unanimously.**

CONTRACT AMENDMENT

Transmitting a Communication, dated July 13, 2011 from

DOROTHY A. BROWN, Clerk of the Circuit Court

requesting authorization for the Purchasing Agent to amend, increase by \$27,071.68 and extend for four (4) months, Contract No. 10-41-119 with Greene & Letts, Chicago, Illinois, for Labor Relations Consulting services.

Board approved amount 07-27-2010: \$ 94,350.00

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Increase requested: \$27,071.68
Adjusted amount: \$121,421.68

Reason: The Clerk of the Circuit Court is requesting an extension and increase of the contract to allow for the vendor to continue to handle the Clerk's office labor relations matters including Unfair Labor Practices ("ULP") claims, arbitrations, Collective Bargaining Agreement negotiations, and grievance resolution matters with no interruptions in service, and until a Countywide Labor Relations Consultant contract can be obtained. The expiration date of the current contract is August 31, 2011.

Estimated Fiscal Impact: \$27,071.68. Contract extension: September 1, 2011 through December 31, 2011. (335-261 Account).

The Purchasing Agent concurs.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Collins, seconded by Commissioner Butler, moved that the County Purchasing Agent be authorized to amend, increase and extend the requested contract. **The motion carried unanimously.**

TRANSFER OF FUNDS

Transmitting a Communication, dated July 18, 2011 from

DOROTHY A. BROWN, Clerk of the Circuit Court

requesting approval by the Board of Commissioners to transfer funds totaling \$4,115.00 from Account 528-449, Operation, Maintenance & Repair not Classified to Account 528-444, Operation, Maintenance & Repair of Auto Equipment for the repair of a van that was involved in an accident in May 2011.

Reason: The funds are needed to pay for the repair of a van that was involved in an accident in May 2011. The van is necessary for daily operations.

From Account 528-449	Total	\$4,115.00
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To Account 528-444	Total	\$4,115.00
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1. On what date did it become apparent that the receiving account would require an infusion of funds in order to meet current obligations? What was the balance in the account on that date, and what was the balance 30 days prior to that date?

In May 2011, one of the Clerk of the Circuit Court vehicles was involved in an accident. Three estimates were obtained for the repair of the vehicle, the vendor providing the lowest estimate was selected, and the repair services were performed in June 2011. A Payment Only Requisition was completed immediately following the repair services using available funds in Account 528-449. On July 18, 2011, it became apparent that the receiving account would require an infusion of funds as the County Budget Department determined that Account 528-449 is not the appropriate account for payment of the repair. Account 528-444 was not budgeted in FY 2011, therefore, the balance on July 18, 2011 and thirty days prior to that date was \$0.00.

2. How was the account used for the source of transferred funds identified? List any other accounts that were also considered (but not used) as the source of the transferred funds.

Account 528-449 was identified as the source of transferred funds as the actual cost of the Voice Information System maintenance purchased through the Cook County Central Services was less than the estimated budgeted amount, which created a surplus in the account, hence, the availability of funds for the transfer.

3. Identify any projects, purchases, programs, contracts, or other obligations that will be deferred, delayed, or canceled as a result of the reduction in available spending authority that will result in the account that funds are transferred from Account 528-449.

None.

4. If the answer to the above question is "none" then please explain why this account was originally budgeted in a manner that caused an unobligated surplus to develop at this point in the fiscal year.

The actual cost of the Voice Information System maintenance purchased through the Cook County Central Services was less than the estimated budgeted amount which created a surplus in the account, hence, the availability of funds for the transfer.

Commissioner Collins, seconded by Commissioner Butler, moved that the transfer of funds be approved. **The motion carried unanimously.**

SHERIFF'S DEPARTMENT OF COMMUNITY SUPERVISION AND INTERVENTION

CONTRACT

Transmitting a Communication, dated July 7, 2011 from

THOMAS J. DART, Sheriff of Cook County

by

RASHANDA CARROLL, Executive Director Department of Reentry and Diversion Programs

requesting authorization for the Purchasing Agent to enter into a contract with Deer Rehabilitation Services, Inc., Chicago, Illinois, for Coordinated Reentry Services

Reason: Deer Rehabilitation Services, Inc., is recommended based upon the results of an Request for Proposal (RFP) conducted by the Cook County Purchasing Agent in conjunction with the Cook County Sheriff's Office. There were three respondents to this RFP. Deer Rehabilitation Services, Inc., was selected because they achieved the highest overall score from the internal selection committee, based upon adherence to the technical specifications and cost. The proposed term of this contract is one year.

The response to the Request for Proposal filed by Deer Rehabilitation Services, Inc., will provide case management services to include substance abuse and mental health treatment, educational and vocational services and recovery home placement. The services are to be provided to approximately three hundred (300) randomly selected individuals from the targeted group who meet the criteria who and are in the custody of the Sheriff of Cook

County.

Estimated Fiscal Impact: None. Grant Funded Amount: \$599,355.00. Contract period: September 15, 2011 through September 14, 2012. (656-260 Account).

The Purchasing Agent concurs.

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to enter into the requested contract.

Commissioner Silvestri, seconded by Commissioner Murphy, moved divide the vote on the items. **The motion carried unanimously.**

Commissioner Murphy, seconded by Commissioner Collins, moved to amend the Proposed Contract. **The motion carried unanimously.**

Commissioner Murphy, seconded by Commissioner Fritchey, moved that request of the Executive Director of the Reentry and Diversion Program be approved, as amended and that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried.**

Commissioner Steele voted “present”.

CONTRACT ADDENDUM

Transmitting a Communication, dated June 23, 2011 from

THOMAS J. DART, Sheriff of Cook County

by

RASHANDA CARROLL, Executive Director, Department of Reentry and Diversion Programs

requesting authorization for the Purchasing Agent to increase by \$225,000.00, Contract No. 09-41-118, with Gateway Foundation, Inc., Chicago, Illinois, for substance abuse treatment and all of its auxiliary services to the participants of the Department of Reentry and Diversion Programs, formerly known as the Department of Community Supervision and Intervention's Pre-Release and Day Reporting Centers.

Board approved amount 03-15-11:	\$3,114,428.00
Increase requested:	<u>225,000.00</u>
Adjusted amount:	\$3,339,428.00

Reason: The increase is required because of the progressively greater number of individuals that are court ordered to the Day Reporting Center. The expiration date of the current contract is May 16, 2012.

Estimated Fiscal Impact: \$225,000.00. (236-298 Account).

Approval of this item would commit Fiscal Year 2012 funds.

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to increase the requested contract. **The motion carried unanimously.**

OFFICE OF THE COUNTY COMPTROLLER

RESOLUTIONS

Transmitting a Communication, dated July 19, 2011 from
CONSTANCE M. KRAVITZ, C.P.A., County Comptroller
requesting approval of the following Proposed Resolution.

**11-R-260
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE
PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

WHEREAS, the Cook County Board of Commissioners has the legal authority to authorize its departments and offices to open and maintain checking and savings accounts at various banks; and

WHEREAS, it is now necessary to update those persons who are authorized to be signatories on these checking and savings accounts.

NOW, THEREFORE, BE IT RESOLVED, that the checking and/or savings accounts at the Urban Partnership Bank for the following purposes, be updated for General Fund; and

BE IT FURTHER RESOLVED, that the following are the names of those persons who are authorized to sign checks on these checking and/or savings accounts and that the signatures of at least one (1) of these shall be required on each check:

- a. Tariq Malhance
- b. Constance M. Kravitz
- c. Shakeel Qureshi

BE IT FURTHER RESOLVED, that the following person heretofore to be signatory shall be deleted:

1. Jaye Williams

BE IT FURTHER RESOLVED, that the County Auditor be directed to audit the checking accounts of said institution at the close of each Fiscal Year or at anytime she sees fit, and to file report(s) thereon with the Cook County Board; and

BE IT FURTHER RESOLVED, that any funds on said checking or savings accounts for deposit with the County Treasurer shall be transmitted to the Cook County Comptroller with an itemization of collections and designation of the account in the Office of the Comptroller.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Sims, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated July 19, 2011 from
CONSTANCE M. KRAVITZ, C.P.A., County Comptroller
requesting approval of the following Proposed Resolution.

**11-R-261
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE
PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

WHEREAS, the Cook County Board of Commissioners has the legal authority to authorize its departments and offices to open and maintain checking and savings accounts at various banks; and

WHEREAS, it is now necessary to update those persons who are authorized to be signatories on these checking and savings accounts.

NOW, THEREFORE, BE IT RESOLVED, that the checking and/or savings accounts at the Covenant Bank for the following purposes, be updated for General Fund; and

BE IT FURTHER RESOLVED, that the following are the names of those persons who are authorized to sign checks on these checking and/or savings accounts and that the signatures of at least two (2) of these shall be required on each check:

- a. Tariq Malhance
- b. Constance M. Kravitz
- c. Shakeel Qureshi

BE IT FURTHER RESOLVED, that the following person heretofore to be signatory shall be deleted:

- d. Jaye Williams

BE IT FURTHER RESOLVED, that the County Auditor be directed to audit the checking accounts of said institution at the close of each Fiscal Year or at anytime she sees fit, and to file report(s) thereon with the Cook County Board; and

BE IT FURTHER RESOLVED, that any funds on said checking or savings accounts for deposit with the County Treasurer shall be transmitted to the Cook County Comptroller with an itemization of collections and designation of the account in the Office of the Comptroller.

Approved and adopted this 27th day of July 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Daley, seconded by Commissioner Sims, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

SHERIFF'S DEPARTMENT OF FISCAL ADMINISTRATION AND SUPPORT SERVICES

PROPOSED APPOINTMENT

Transmitting a Communication, dated May 5, 2011 from

THOMAS J. DART, Sheriff of Cook County
by
ALEXIS A. HERRERA, Chief Financial Officer

I hereby appoint Mr. John R. Rosales to the Cook County Sheriff's Merit Board, to fill the vacancy left by Mr. Daniel Lynch, for a term to begin immediately and expire on March 19, 2012.

Pursuant to Chapter 55 ILCS 5/3-7002, I hereby request the advice and consent of the Cook County Board of Commissioners relative to the appointment of Mr. John R. Rosales.

I submit this communication for your approval.

Commissioner Suffredin, seconded by Commissioner Silvestri, moved that the communication be referred to the Committee on Legislation and Intergovernmental Relations. (Comm. No. 312744). **The motion carried unanimously.**

CONTRACT ADDENDUM

Transmitting a Communication, dated July 22, 2011 from

CONSTANCE M. KRAVITZ, CPA., Chairman, Deferred Compensation Committee

requesting authorization for the Purchasing Agent to extend the contract with Nationwide(Contract No. 05-41-566) on a month to month basis, but in no case beyond June 30, 2012, at the discretion of the Chairman of the Deferred Compensation Committee.

Reason: To continue a full spectrum of services to County employees as the Deferred Compensation Committee reviews RFPs for Plan Consultant Companies. The previously approved

extension has expired as of June 30, 2011.

Estimated Fiscal Impact: None. Contract extension: Month to Month

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Sims, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to extend the requested contract. **The motion carried unanimously.**

DEPARTMENT OF FACILITIES MANAGEMENT

PERMISSION TO ADVERTISE

Transmitting a Communication, dated July 8, 2011 from

JAMES D'AMICO, Director, Department of Facilities Management

requesting authorization for the Purchasing Agent to advertise for bids for the purchase of County-Wide Floor Covering Replacement.

Contract period: One time purchase. 20000 Physical Plant.

Commissioner Murphy, seconded by Commissioner Steele, moved that the County Purchasing Agent be authorized to advertise for bids. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated June 30, 2011 from

JAMES D'AMICO, Director, Department of Facilities Management

requesting authorization for the Purchasing Agent to advertise for bids for the purchase of hardware supplies.

Contract period: November 18, 2011 through November 17, 2012. (200-333 Account)

Approval of this item would commit Fiscal Year 2012 funds.

Commissioner Murphy, seconded by Commissioner Steele, moved that the County Purchasing Agent be authorized to advertise for bids. **The motion carried unanimously.**

TRANSFER OF FUNDS

Transmitting a Communication, dated July 8, 2011 from

JOURNAL OF PROCEEDINGS FOR JULY 27, 2011

JAMES D'AMICO, Director, Department of Facilities Management

requesting approval by the Board of Commissioners to transfer funds totaling \$890,720.00 from and to the accounts listed below, to meet current and future financial obligations.

Reason: The increase in Account 183 is to increase knowledge and maintain certifications needed by staff. In Acct. 190 the increase is to send employees to energy reduction workshops to help meet performance measures. In Acct. 225 the increase is needed to mail documentation to LOA employees and tenant surveys. In Acct. 240 the increase is needed to print additional building safety procedure flip charts. In Acct. 320 the increase is needed to provide uniforms for security personnel per their union agreement. In Acct. 330 the increase is needed to purchase supplies needed for the Janitorial staff at Rockwell. In Acct. 333 the increase is needed due to the rising cost of the day to day supplies and needed to implement energy cost savings measures. In Acct. 350 the increase is needed due to the increased documentation requirements of compliance with court orders. In Acct. 444 the increase is needed in order to maintain our fleet of vehicles all of which are in excess of 10 years old. In Acct. 450 the increase is needed to perform multi-year preventive maintenance and repair an aging physical plant. In Acct. 461 the increase is needed repair currently leaking roofs, broken windows and future emergency repair items that will arise. In Acct. 638 the increase is needed to rent equipment to costly to own but necessary to perform various repairs and maintenance work orders.

From Accounts:

200-110	Salaries/Wages of Regular Employees		<u>\$890,720.00</u>
		Total	\$890,720.00

To Accounts:

200-183	Seminars for Professional Employees	\$ 4,000.00	
200-190	Transportation & Other Travel Services	5,000.00	
200-225	Postage	220.00	
200-240	Printing and Publishing	15,000.00	
200-320	Wearing Apparel	4,000.00	
200-330	Household, Laundry & Cleaning Supplies	2,500.00	
200-333	Institutional Supplies	400,000.00	
200-350	Office Supplies	20,000.00	
200-444	Operations, Maintenance & Repair of Auto Equipment	10,000.00	
200-450	Repair Building & Institutional Equipment	225,000.00	
200-461	Maintenance of Facilities	200,000.00	
200-638	Rental Institutional Equipment	<u>5,000.00</u>	
		Total	\$890,720.00

1. On what date did it become apparent that the receiving account would require an infusion of funds in order to meet current obligations? What was the balance in the account on that date, and what was the balance 30 days prior to that date?

For Accounts 183, 320 and 330, the accounts were not originally funded during the budget cycle due to the pending reduction in force.

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April 26, 2011 is when it became apparent that the 190 Account would require an infusion of funds because a decision was made to send engineering staff to energy conservation workshops. The account balance on that date was \$8,136.00. The account balance on March 22, 2011 was \$9,759.00.

June 10, 2011 is when it became apparent that the 240 Account would require an infusion of funds because a decision was made to print needed building safety procedure flip books. The account balance on that date was \$500.00. The account balance on May 17, 2011 was \$500.00.

May 17, 2011 is when it became apparent that the 333 Account would require an infusion of funds because the account balance was insufficient to meet our needs for the remainder of the year. The account balance on that date was \$312,926.00. The account balance on April 11, 2011 was \$699,759.00.

April 26, 2011 is when it became apparent that the 350 Account would require an infusion of funds because the account balance was insufficient to meet our needs for the remainder of the year. The account balance on that date was \$3,017.00. The account balance on March 22, 2011 was \$8,635.00.

July 8, 2011 is when it became apparent that the 444 Account would require an infusion of funds because the account balance was insufficient to meet our needs for the remainder of the year. The account balance on that date was \$778.00. The account balance on June 10, 2011 was \$3,700.00

July 8, 2011 is when it became apparent that the 450 Account would require an infusion of funds because the account balance was insufficient to meet our needs for the remainder of the year. The account balance on that date was \$864,414.00. The account balance on June 10, 2011 was \$1,671,804.00.

July 8, 2011 is when it became apparent that the 461 Account would require an infusion of funds because the account balance was insufficient to meet our needs for the remainder of the year. The account balance on that date was \$19,643.00. The account balance on June 10, 2011 was \$84,823.00.

July 8, 2011 is when it became apparent that the 638 Account would require an infusion of funds because rental of a High Ranger Bucket Truck is needed to service exterior lighting and projects. The account balance on that date was \$1,830.00. The account balance on June 10, 2011 was \$1,830.00.

2. How was the account used for the source of transferred funds identified? List any other accounts that were also considered (but not used) as the source of the transferred funds.

The account used for the source of transferred funds was identified because it is the only account with available funds. No other account was considered.

3. Identify any projects, purchases, programs, contracts, or other obligations that will be deferred, delayed, or canceled as a result of the reduction in available spending authority that will result in the account that funds are transferred from.

None

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4. If the answer to the above question is “none” then please explain why this account was originally budgeted in a manner that caused an unobligated surplus to develop at this point in the fiscal year.

The unobligated surplus developed in the 110 Account is a result of unexpected retirements, injuries, illnesses and open positions not filled.

Commissioner Daley, seconded by Commissioner Sims, moved that the transfer of funds be approved.
The motion carried unanimously.

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Transmitting a Communication, dated July 8, 2011 from

JAMES D'AMICO, Director, Department of Facilities Management

requesting approval by the Board of Commissioners to transfer funds totaling \$5,940.00 from and to the accounts listed below, to meet new obligations due to reorganizing the department.

Reason: During the budget process it was decided to transfer authority and responsibilities of Department 215 Custodial from the Sheriff to Facilities Management. These new expenditures are a result of the changes in reporting and reductions in staff. Supervisors now travel to other buildings to oversee staff, increased documentation of work performed is required and mailing of tenant surveys has been implemented.

From Accounts:

215-330	Household, Laundry & Cleaning Supplies		<u>5,940.00</u>
		Total	\$5,940.00

To Accounts:

215-190	Transportation and Other Travel Services	\$2,000.00	
215-225	Postage	440.00	
215-350	Office Supplies	<u>3,500.00</u>	
		Total	\$5,940.00

1. On what date did it become apparent that the receiving account would require an infusion of funds in order to meet current obligations? What was the balance in the account on that date, and what was the balance 30 days prior to that date?

On April 1, 2011 it became apparent that the receiving accounts listed would require an infusion of funds since there was no original appropriation at budget passage. The account balance is and was \$0.00.

2. How was the account used for the source of transferred funds identified? List any other accounts that were also considered (but not used) as the source of the transferred funds.

The account used for the source of transferred funds was identified by a review of inventories and consumption of products in this category. No other accounts were considered.

3. Identify any projects, purchases, programs, contracts, or other obligations that will be deferred, delayed, or canceled as a result of the reduction in available spending authority that will result in the account that funds are transferred from.

None

4. If the answer to the above question is "none" then please explain why this account was originally budgeted in a manner that caused an unobligated surplus to develop at this point in the fiscal year.

The unobligated surplus is not actually a result over budgeting as much as a lack of consumption of these products resulting in excess inventory.

Commissioner Daley, seconded by Commissioner Sims, moved that the transfer of funds be approved. **The motion carried unanimously.**

SHERIFF'S DEPARTMENT OF FISCAL ADMINISTRATION AND SUPPORT SERVICES

GRANT AWARD RENEWAL

Transmitting a Communication, dated June 30, 2011 from

THOMAS J. DART, Sheriff of Cook County

by

RASHANDA CARROLL, Executive Director Department of Reentry and Diversion Programs

requesting authorization to renew a grant in the amount of \$42,599.00 from the Illinois Department of Human Services. The purpose of the grant is to provide alcohol, tobacco, and other drug abuse prevention services in Leyden, Norwood Park, Riverside, and Stickney Townships.

The authorization to accept the previous grant was given on September 1, 2010 by the Cook County Board of Commissioners in the amount of \$130,574.00. A reduced grant amount of \$127,791.00 was approved by the Board of Commissioners on June 1, 2011.

Estimated Fiscal Impact: None. Grant Award: \$42,599.00. Funding period: July 1, 2011 through October 31, 2011.

The Budget Department has received all requisite documents and determined the fiscal impact on Cook County, if any.

Commissioner Daley, seconded by Commissioner Sims, moved that the request of the Executive Director of the Department of Reentry and Diversion Programs be approved. **The motion carried unanimously.**

INTERGOVERNMENTAL AGREEMENTS

Transmitting a Communication, dated July 14, 2011 from

THOMAS J. DART, Sheriff of Cook County

by

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ALEXIS HERRERA, Chief Financial Officer

requesting authorization to enter into and execute an intergovernmental agreement between Cook County Sheriff and Worth Township and Worth Township Highway Commissioner, to provide enforcement of County Ordinances adopted by the Township regarding the standing, parking or conditions of vehicles on Township roads within the County. The Cook County Sheriff's Office will provide for the processing of citations and collection of fees through the County's Revenue Department.

This agreement has been reviewed and approved as to form by the Cook County State's Attorney's Office.

Estimated Fiscal Impact: None.

Commissioner Daley, seconded by Commissioner Sims, moved that the request of the Executive Director of the Department of Reentry and Diversion Programs be approved. **The motion carried unanimously.**

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Transmitting a Communication, dated July 14, 2011 from

THOMAS J. DART, Sheriff of Cook County
by
ALEXIS HERRERA, Chief Financial Officer

requesting authorization to enter into and execute an intergovernmental agreement between Sheriff of Cook County and Elk Grove Township and Elk Grove Township Highway Commissioner to provide enforcement of County Ordinances adopted by the Township regarding the standing, parking or conditions of vehicles on Township roads within the County. The Cook County Sheriff's Office will provide for the processing of citations and collection of fees through the County's Revenue Department.

This agreement has been reviewed and approved as to form by the Cook County State's Attorney's Office.

Estimated Fiscal Impact: None.

Commissioner Daley, seconded by Commissioner Sims, moved that the request of the Executive Director of the Department of Reentry and Diversion Programs be approved. **The motion carried unanimously.**

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Transmitting a Communication, dated July 14, 2011 from

THOMAS J. DART, Sheriff of Cook County
by
ALEXIS HERRERA, Chief Financial Officer

requesting authorization to enter into and execute an intergovernmental agreement between Cook County Sheriff and Leyden Township and the Leyden Township Highway Commissioner to provide enforcement of County Ordinances adopted by the Township regarding the standing, parking or conditions of vehicles

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on Township roads within the County. The Cook County Sheriff's Office will provide for the processing of citations and collection of fees through the County's Revenue Department.

This agreement has been reviewed and approved as to form by the Cook County State's Attorney's Office.

Estimated Fiscal Impact: None.

Commissioner Daley, seconded by Commissioner Sims, moved that the request of the Executive Director of the Department of Reentry and Diversion Programs be approved. **The motion carried unanimously.**

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Transmitting a Communication, dated July 14, 2011 from

THOMAS J. DART, Sheriff of Cook County
by
ALEXIS HERRERA, Chief Financial Officer

requesting authorization to enter into and execute an intergovernmental agreement between Sheriff of Cook County and Rich Township and the Rich Township Highway Commissioner to provide enforcement of County Ordinances adopted by the Township regarding the standing, parking or conditions of vehicles on Township roads within the County. The Cook County Sheriff's Office will provide for the processing of citations and collection of fees through the County's Revenue Department.

This agreement has been reviewed and approved as to form by the Cook County State's Attorney's Office.

Estimated Fiscal Impact: None.

Commissioner Daley, seconded by Commissioner Sims, moved that the request of the Executive Director of the Department of Reentry and Diversion Programs be approved. **The motion carried unanimously.**

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Transmitting a Communication, dated July 14, 2011 from

THOMAS J. DART, Sheriff of Cook County
by
ALEXIS HERRERA, Chief Financial Officer

requesting authorization to enter into and execute an intergovernmental agreement between Sheriff of Cook County and Maine Township and the Maine Township Highway Commissioner to provide enforcement of County Ordinances adopted by the Township regarding the standing, parking or conditions of vehicles on Township roads within the County. The Cook County Sheriff's Office will provide for the processing of citations and collection of fees through the County's Revenue Department.

This agreement has been reviewed and approved as to form by the Cook County State's Attorney's Office.

Estimated Fiscal Impact: None.

Commissioner Daley, seconded by Commissioner Sims, moved that the request of the Executive Director of the Department of Reentry and Diversion Programs be approved. **The motion carried unanimously.**

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Transmitting a Communication, dated July 14, 2011 from

THOMAS J. DART, Sheriff of Cook County
by
ALEXIS HERRERA, Chief Financial Officer

requesting authorization to enter into and execute an intergovernmental agreement between Cook County Sheriff and Bremen Township and Bremen Township Highway Commissioner, to provide enforcement of County Ordinances adopted by the Township regarding the standing, parking or conditions of vehicles on Township roads within the County. The Cook County Sheriff's Office will provide for the processing of citations and collection of fees through the County's Revenue Department.

This agreement has been reviewed and approved as to form by the Cook County State's Attorney's Office.

Estimated Fiscal Impact: None.

Commissioner Daley, seconded by Commissioner Sims, moved that the request of the Executive Director of the Department of Reentry and Diversion Programs be approved. **The motion carried unanimously.**

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Transmitting a Communication, dated July 14, 2011 from

THOMAS J. DART, Sheriff of Cook County
by
ALEXIS HERRERA, Chief Financial Officer

requesting authorization to enter into and execute an intergovernmental agreement between Cook County Sheriff and Wheeling Township and Wheeling Township Highway Commissioner, to provide enforcement of County Ordinances adopted by the Township regarding the standing, parking or conditions of vehicles on Township roads within the County. The Cook County Sheriff's Office will provide for the processing of citations and collection of fees through the County's Revenue Department.

This agreement has been reviewed and approved as to form by the Cook County State's Attorney's Office.

Estimated Fiscal Impact: None.

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Commissioner Daley, seconded by Commissioner Sims, moved that the request of the Executive Director of the Department of Reentry and Diversion Programs be approved. **The motion carried unanimously.**

CONTRACT ADDENDA

Transmitting a Communication, dated July 21, 2011 from

THOMAS J. DART, Sheriff of Cook County

by:

Alexis Herrera, Chief Financial Officer

requesting authorization for the Purchasing Agent to increase by \$9,079,408.00, Contract No. 08-41-317 with Motorola, Inc., Schaumburg, Illinois, for the purchase of additional radio and related equipment as part of the Cook County Interoperable Radio Communication Initiative.

Board approved amount 12-03-2008:	\$50,117,590.00
Previous Increase approved 6-16-2009:	948,452.00
Previous Increase approved 11-18-2009:	3,044,029.50
This Increase Requested:	<u>9,079,408.00</u>
Adjusted amount:	\$63,189,479.50

Reason: This equipment will be used to provide interoperable radio equipment for various public safety agencies location throughout Cook County. The Sheriff's Office currently has over 600 requests for radio equipment from external law enforcement and fire agencies. This system provides seamless communication to all participating agencies including the Cook County Sheriff's Office, The City of Chicago Police and Fire, and also communication with State agencies.

Estimated Fiscal Impact: NONE. Grant Funded amount \$9,079,408.00 (769-570 Account Various Funding Years).

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Suffredin, seconded by Commissioner Silvestri, moved to suspend the rules. **The motion carried unanimously.**

Commissioner Reyes, seconded by Commissioner Silvestri, moved that the County Purchasing Agent be authorized to increase the requested contract. **The motion carried unanimously.**

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Transmitting a Communication, dated July 21, 2011 from

THOMAS J. DART, Sheriff of Cook County

By:

ALEXIS HERRERA, Chief Financial Officer

requesting authorization for the Purchasing Agent to amend and extend, for (2) months Contract No. 09-84-125 with Enterprise Leasing of Chicago, Glen Ellyn, Illinois, for leased vehicles.

Reason: On February 1, 2011 the Sheriff's office requested permission to advertise for bids for a new contract for leasing vehicles for HIDTA. This item was referred to the Finance Committee. On April 20, 2011 permission to advertise for bid was granted. The bid opening for this contract was July 14, 2011. This extension will allow sufficient time for the contract to be executed and for the vehicles to be ordered and delivered. Enterprise has agreed to this extension with the following terms; The current rate will remain in effect until August 31, 2011. Effective September 1, 2011 the rate per vehicle will increase to \$125.00 a month and will remain in effect until the new vehicles are delivered. Sufficient dollars are available in this contract to cover the rate per vehicle increase. The expiration date of the current contract is August 18, 2011.

Estimated Fiscal Impact: None. Contract extension period: August 19, 2011 through October 16, 2011. 655-634 account.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Suffredin, seconded by Commissioner Silvestri, moved to suspend the rules. **The motion carried unanimously.**

Commissioner Reyes, seconded by Commissioner Silvestri, moved that the County Purchasing Agent be authorized to amend and extend the requested contract. **The motion carried unanimously.**

BUREAU OF HUMAN RESOURCES

HUMAN RESOURCES ACTIVITY REPORT

Transmitting a Communication, dated July 27, 2011 from

MAUREEN T. O'DONNELL, Chief. Bureau of Human Resources
and
CONSTANCE M. KRAVITZ, C.P.A., County Comptroller

submitting the Human Resources Activity reports covering the two (2) week pay period for both Pay Period 12 ending June 4, 2011 and Pay Period 13 ending June 18, 2011.

Commissioner Daley, seconded by Commissioner Sims, moved that the communication be received and filed. **The motion carried unanimously.**

JUVENILE PROBATION AND COURT SERVICES DEPARTMENT

CONTRACTS

Transmitting a Communication, dated May 20, 2011, from

TIMOTHY C. EVANS, Chief Judge, Circuit Court of Cook County

requesting authorization for the Purchasing Agent to enter into a contract with Youth Outreach Services, Inc. (YOS), Chicago, Illinois, to provide Multisystemic Therapy (MST) services to delinquent minors who have a dual diagnosis of mental health disorder and drug addiction.

Reason: YOS has been a licensed provider of MST services since 2003, and is currently one of two providers of these services in Cook County. MST is evidenced-based and includes family and home-based treatments that strive to change youth behaviors in the home environment. The proposed contract would be funded by a grant awarded by the U.S. Department of Justice, approved by the Cook County Board of Commissioners on March 15, 2011.

Estimated Fiscal Impact: None. Grant Funded Amount: \$222,901.00. Contract period: July 1, 2011 through September 30, 2012. (681-260 Account).

Commissioner Collins, seconded by Commissioner Butler, moved that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried unanimously.**

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Transmitting a Communication, dated May 20, 2011 from

TIMOTHY C. EVANS, Chief Judge, Circuit Court of Cook County

requesting authorization for the Purchasing Agent to enter into a grant-funded contract with One Hope United, Chicago, Illinois, to provide Multisystemic Therapy (MST) services to delinquent minors who have a dual diagnosis of a mental health disorder and drug addiction.

Reason: One Hope United is a licensed provider of MST services, and is currently one of two providers of these services in Cook County. MST is evidenced-based and includes family and home-based treatments that strive to change youth behaviors in the home environment. The proposed contract would be funded by a grant awarded by the U.S. Department of Justice, approved by the Cook County Board of Commissioners on March 15, 2011.

Estimated Fiscal Impact: None. Grant Funded Amount: \$224,602.00. Contract period: July 1, 2011 through September 30, 2012. (681-260 Account).

Commissioner Collins, seconded by Commissioner Butler, moved that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried unanimously.**

OFFICE OF THE PUBLIC DEFENDER

CONTRACT

Transmitting a Communication, dated June 17, 2011 from

ABISHI C. CUNNINGHAM, JR., Public Defender

requesting authorization for the Purchasing Agent to enter into a contract with Leann Horrocks, Venice, Florida, for development of an interface between the Public Defender's Legal Edge system and the Circuit Court Clerk's data system.

Reason: This office has a case management system to assist in tracking cases and helping attorneys handle their caseload. The reason for the request is we must expand our usage of the current case management system in order to properly fulfill our mission of defending the indigent. In addition, the data provided by the Circuit Court Clerk's Office will help us provide data for our performance management objectives as requested by the President's Office. This office is appointed to over 100,000 cases a year and does not have the manpower to manually input case information into our system. The Clerk's Office already has the case data this office requires in their electronic system and has a data file which they make available to other agencies in the criminal justice system. The Chief Information Officer, Greg Wass, has reviewed the proposal and concurs with the need.

After submitting a Request For Proposal to purchasing and going through the appropriate bidding process, we found Ms. Horrock's qualifications to be the best in terms of meeting the specifications and award amount. Her proposal is slightly higher for startup but is more efficient and less expensive in the long run for maintenance and support. Her hourly rate was the lowest of the three bids.

Estimated Fiscal Impact: \$131,100.00. Contract period: August 15, 2011 through August 14, 2012. (717/260-579 Account).

The Chief Information Officer has reviewed this item and concurs with this recommendation.

Commissioner Fritchey, seconded by Commissioner Collins, moved that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried unanimously.**

OFFICE OF THE PUBLIC GUARDIAN

CONTRACT

Transmitting a Communication, dated June 28, 2011 from

TIMOTHY C. EVANS, Chief Judge, Circuit Court of Cook County

requesting authorization for the Purchasing Agent to enter into a contract with Plante & Moran, PLLC, Chicago, Illinois, to assess the accounting and case management software for the Office of the Public Guardian, assist the office in developing long-term technology improvements and oversee the implementation of such improvements.

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Reason: Plante & Moran, PLLC was selected through a Request for Proposal (RFP) process. The firm was judged to be the most qualified and proposed the lowest cost of the four firms which submitted proposals.

Estimated Fiscal Impact: \$67,600.00 (FY 2011: \$16,900.00; and FY 2012: \$50,700.00). Contract period: September 1, 2011, through August 31, 2012. (300-260 Account).

Approval of this item would commit Fiscal Year 2012 funds.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Collins, seconded by Commissioner Butler, moved that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried unanimously.**

OFFICE OF THE PURCHASING AGENT

PERMISSION TO ADVERTISE

Transmitting a Communication from

MARIA DE LOURDES COSS, Purchasing Agent

requesting authorization for the Purchasing Agent to advertise for bids for a countywide contract for Various Offset, Inset, TAG and NCR Xeroxgraphic Paper.

Contract period: October 1, 2011 through September 30, 2014 (with two (2) one-year renewal options). (Various-350 Account).

Approval of this item would commit Fiscal Years 2012, 2013 and 2014 funds.

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to advertise for bids. **The motion carried unanimously.**

* * * * *

Transmitting a Communication from

MARIA DE LOURDES COSS, Purchasing Agent

requesting authorization for the Purchasing Agent to advertise for bids for the countywide purchase, installation and repair of tires.

Contract period: October 1, 2011 through September 13, 2014 (with two (2) one-year renewal options). (Various-445 Account).

Approval of this item would commit Fiscal Years 2012, 2013 and 2014 funds.

The Purchasing Agent concurs.

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to advertise for bids. **The motion carried unanimously.**

BID OPENING

July 14, 2011

Honorable President and Members
Board of Commissioners of Cook County
Chicago, Illinois 60602

Dear Ladies and Gentlemen:

Pursuant to the rules of this Board, I hereby submit for your consideration, bids which were opened under my supervision on Thursday, July 14, 2011, at 10:00 A.M., in the County Building, Chicago, Illinois.

Very truly yours,

MARIA DE LOURDES COSS, Purchasing Agent, overseeing the Bid Opening and a member of the President's Staff.

<u>CONTRACT NO.</u>	<u>DESCRIPTION</u>	<u>USING DEPARTMENT</u>
11-83-057	Software maintenance	Bureau of Technology
11-53-063	Diesel and unleaded fuel	Various Cook County Departments
11-50-064	To furnish and install a Noritsu digital photographic minilab system	Sheriff's Police Department
11-84-075	Leasing up to 150 vehicles including maintenance, insurance and fuel program	Sheriff's High Intensity Drug Trafficking Area (H.I.D.T.A.)
11-45-077 Rebid	Ammunition	Sheriff's Training Institute
11-50-082	Printing and mailing of certified notices of tax delinquencies for tax years 2010 and 2011	Treasurer's Office
11-50-083	Printing of tax bill paper, envelopes, brochures, folding and inserting for the billing and collection	Treasurer's Office
11-45-085	Food and beverage vending machines	Bureau of Administration and Real Estate Management Division

HIGHWAY BIDS

BID

SECTION

1. Electrical and Mechanical Item Maintenance

12-8EMIM-40-GM

By consensus, the bids were referred to their respective departments for review and consideration.

CONTRACTS AND BONDS

Transmitting a Communication, dated July 22, 2011 from

MARIA DE LOURDES COSS, MPA, CPPO, Purchasing Agent

Please add the items listed below on the July 27, 2011 Board Agenda.

C& G Consulting Partners, LLC

Agreement

Contract No. 11-45-2740, for Lobbying Services, for the Office of the President, for the contract sum of \$60,000.00, for a period of twelve (12) months, as authorized by the Board of Commissioners 1/19/11.

Deer Rehabilitation Services

Agreement

Contract No. 10-50-1087F, for Instructional Services, for the Sheriff's Training Institute, for the contract sum of \$316,140.00, for a period of three (3) years, as authorized by the Board of Commissioners 4/20/11.

G4S Justice Services, LLC

Agreement

Contract No. 11-45-50, for Electronic Monitoring for Juvenile Offenders, for the Juvenile Probation and Court Services Department, for the contract sum of \$255,500.00, for a period of six (6) months, as authorized by the Board of Commissioners 12/14/10.

Harris & Harris Ltd.

Agreement

Contract No. 10-50-1072B, for Countywide Debt Collection Services, for Various Agencies, (revenue generating) for a period of three (3) years, as authorized by the Board of Commissioners 3/15/11.

Robert J. Hovey, Attorney at Law

Agreement

Contract No. 10-50-1087D, for Instructional Services, for the Sheriff's Training Institute, for the contract sum of \$158,610.00, for a period of three (3) years, as authorized by the Board of Commissioners 4/20/11.

Michael Kreloff

Agreement

Contract No. 11-41-43, for Consulting Services, for Policy, Planning and Intergovernmental Affairs, for the Clerk, Election Department, for the contract sum of \$79,000.00, for a period of twenty-four (24) months, as authorized by the Board of Commissioners 3/15/11.

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National Institute of Governmental Purchasing

Agreement

Contract No. 11-41-76, for Training Programs and Educational Seminars, for the Office of the Purchasing Agent, for the contract sum of \$40,000.00, for a period of twenty-four (24) months, as authorized by the Board of Commissioners 6/14/11.

O'Connor Law Offices, LLC

Agreement

Contract No. 10-50-1087C, for Instructional Services, for the Sheriff's Training Institute, for the contract sum of \$215,000.00, for a period of three (3) years, as authorized by the Board of Commissioners 4/20/11.

Penn Credit Corporation

Agreement

Contract No. 10-50-1072A, for Countywide Debit Collection Services, for Various Agencies, (revenue generating) for a period of three (3) years, as authorized by the Board of Commissioners 3/15/11.

Pro-Health Advocates, Inc.

Agreement

Contract No. 11-41-29, For Domestic Violence Counseling Services Program, for the Office of the Chief Judge, Social Services Department, for the contract sum of \$45,000.00, for a period of twelve (12) months, as authorized by the Board of Commissioners 10/5/10.

The Salvation Army

Agreement

Contract No. 11-41-23, For Domestic Violence Counseling Services Program, for the Office of the Chief Judge, Social Services Department, for the contract sum of \$50,000.00, for a period of twelve (12) months, as authorized by the Board of Commissioners 10/5/10.

Stanard & Associates, Inc.

Agreement

Contract No. 10-50-1086, For Pre-Employment Psychological Testing Services, for the Sheriff's Office, for the contract sum of \$3,105,000.00, for a period of three (3) years, as authorized by the Board of Commissioners 5/4/11.

Susan J. White & Associates

Agreement

Contract No. 11-41-89, for Lobbyist Services, for the Office of the President, for the contract sum of \$150,000.00, for a period of twelve (12) months, as authorized by the Board of Commissioners 1/18/11.

American Textile Systems

Contract

Contract No. 11-85-53, for Toilet Tissue & Paper Towels, as required for use by Various Agencies, for the contract sum of \$618,815.00. (Items No. 6 and 8) This is a requirements contract for a period of twenty-four (24) months. Date Advertised 4/13/11. Date of Bid Opening 6/7/11. (This item is on the July 27, 2011 Bids Report Recommendations).

Applied Real Estate Analysis, Inc.

Contract

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Contract No. 11-53-010P for Analysis of Impediments to Fair Housing Choice, for the Bureau of Economic Development, for the contract sum of 47,589.00, for a period of five (5) months, as authorized by the Board of Commissioners 7/12/11.

Aztec Supply Corporation

Contract

Contract No. 11-85-53, for Toilet Tissue and Paper Towels, as required for use by Various Agencies, for the contract sum of \$185,680.00. (Items No. 1 and 9) This is a requirements contract for a period of twenty-four (24) months. Date Advertised 4/13/11. Date of Bid Opening 6/7/11. (This item is on the July 27, 2011 Bids Report Recommendations).

Aztec Supply Corporation

Contract

Contract No. 11-50-51, for Paint Supplies, as required for use by the Department of Facilities Management, for the contract sum of \$170,302.28, for a period of twelve (12) months. Date Advertised 4/13/11. Date of Bid Opening 5/5/11. (This item is on the July 27, 2011 Bids Report Recommendations).

Black Dog Chicago Corp.

Contract

Contract No. 11-45-61, for Meat Products, as required for use by the Juvenile Temporary Detention Center, for the contract sum of \$476,517.26. This is a requirements contract for a period of twelve (12) months. Date Advertised 5/17/11. Date of Bid Opening 6/7/11. Date of Board Award (This item is on the July 27, 2011 Bids Report Recommendations).

JJ Collins Sons, Inc.

Contract

Contract No. 11-50-83, for Printing of Tax Bill Paper, Envelopes, Brochures, Folding and Inserting for the Billing and Collection of Tax Years 2011 & 2012 Property Taxes, as required for by the Treasurer's Office, for the contract sum of \$998,794.00. This is a requirements contract for a period of twenty-four (24) months. Date Advertised 6/17/11. Date of Bid Opening 7/14/11. (This item is on the July 27, 2011 Bids Report Recommendations).

Envelope Connection

Contract

Contract No. 11-50-82, for Printing and Mailing of Certified Notices of Tax Delinquencies for Tax Years 2010 and 2011, as required for use by the Treasurer, for the contract sum of \$183,360.00. This is a requirements contract for a period of twenty-four (24) months. Date Advertised 6/7/11. Date of Bid Opening 7/14/11. (This item is on the July 27, 2011 Bids Report Recommendations).

Enterprise Fleet Management, Inc.

Contract

Contract No. 11-84-75, for Leasing up to 150 Vehicles, Including Maintenance, Insurance and Fuel Program, as required for use by the Sheriff's H.I.D.T.A., for the contract sum of \$2,627,574.32. This is a requirements contract for a period of twenty-four (24) months. Date Advertised 6/24/11. Date of Bid Opening 7/14/11. (This item is on the July 27, 2011 Bids Report Recommendations).

Inlander Brothers, Inc.

Contract

Contract No. 11-85-53, for Toilet Tissue and Paper Towels, as required for use by Various Agencies, for the contract sum of \$248,496.00. (Item No.7) This is a requirements contract for a period of twenty-four

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(24) months. Date Advertised 4/13/11. Date of Bid Opening 6/7/11. (This item is on the July 27, 2011 Bids Report Recommendations).

Morton Salt, Inc.

Contract

Contract No. 11-53-106, for Bulk Salt and De-icing Materials, as required for use by the Highway Department and Forest Preserve District, for the contract sum of \$5,573,751.00. This contract is for a period of twenty-four (24) months. Date of Award 7/12/11. This is a joint purchase with the City of Chicago Contract No. 95044.

Paper Solutions

Contract

Contract No. 11-84-100, for Printing and Manufacturing of Jackets and Folders, as required for use by Various County Agencies, for the contract sum of \$1,612,582.00. This is a requirements contract for a period of twenty-four (24) months. Date Advertised 4/13/11. Date of Bid Opening 5/5/11. Date of Board Award 7/12/11.

Path Construction Company

Contract and Bond

Contract No. 10-53-131 Rebid, for Renovation at Forest Park TB District, as required for use by the Office of Capital Planning and Policy, for the contract sum of \$138,500.00. Date Advertised 11/16/10. Date of Bid Opening 12/21/10. Date of Board Award 7/12/11.

Production Distribution Companies

Contract

Contract No. 11-53-09, for Filter Supplies, as required for use by the Department of Facilities Management for the contract sum of \$273,307.97. This is a requirements contract for a period of twelve (12) months. Date Advertised 3/1/11. Date of Bid Opening 3/30/11. Date of Board Award 7/12/11.

RJB Properties, Inc.

Contract

Contract No. 11-53-059, for Janitorial Services, as required for use by the Medical Examiner's Office, for the contract sum of \$541,034.16. This contract is for a period of twenty-four (24) months. Date Advertised 4/13/11. Date of Bid Opening 5/5/11. Date of Board Award 7/12/11.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Sims, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Sims, moved that the contracts and bonds be approved and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried.**

Commissioner Fritchey voted "present".

REAL ESTATE MANAGEMENT DIVISION

LEASE AGREEMENT

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Transmitting a Communication dated July 6, 2011 from

ANNA ASHCRAFT, Acting Director, Real Estate Management Division

respectfully requesting approval of a Lease Agreement for office space at 5515 North East River Road, Chicago, Illinois, for the use of Commissioner Peter Silvestri's 9th District field office. Details are:

Landlord:	Catfish Point, LLC
Tenant:	County of Cook for the use of Commissioner Peter Silvestri
Location:	5515 North East River Road, Chicago, Illinois
Term:	August 1, 2011 through January 31, 2013
Space Occupied:	650 square feet
Rent:	Monthly Annual
	\$750.00 \$9,000.00

Rent is inclusive of utilities.

Approval of this item would commit Fiscal Year 2012 and 2013 funds.

Approval is recommended.

Commissioner Garcia, seconded by Commissioner Murphy, moved that the lease agreement be approved and that the Proper Officials be authorized to sign on behalf of Cook County. **The motion carried unanimously.**

DEPARTMENT OF RISK MANAGEMENT

CONTRACTS

Transmitting a Communication, dated June 22, 2011 from

LISA M. WALIK, Director, Department of Risk Management

Re: VISION CARE BENEFITS – EYEMED VISION CARE, LLC

On November 5, 2008, the Cook County Board of Commissioners authorized the Purchasing Agent to enter into a contract with EyeMed Vision Care requesting authorization for the Purchasing Agent to enter into a contract to provide eligible Cook County employees and their dependents with a Vision Care program from January 1, 2009 through December 31, 2011.

EyeMed Vision Care and its corporate affiliate and third party administrator, First American Administrators, Inc., have been providing the contracted services since January, 2009. It has recently been determined that the contract did not proceed to Contracts and Bonds nor was the contract executed by the County. The final contract was not fully negotiated until late 2010 and First American Administrators, Inc., the licensed third party administrator and corporate affiliate needed to be added to the contract per a State Consent Order entered into between EyeMed Vision Care and the Illinois

Department of Financial and Professional Regulation. As a result of the above, it is hereby requested that the November 5, 2008 authorization be amended as follows:

The amendment is indicated by the underscored and stricken language.

Transmitting a Communication, dated October 8, 2008 from

LISA M. WALIK, Director, Department of Risk Management

Re: VISION CARE BENEFITS – EYEMED VISION CARE, LLC

requesting authorization for the Purchasing Agent to enter into and execute a contract with EyeMed Vision Care, Mason, Ohio, and First American Administrators, Inc., EyeMed Vision Care's corporate affiliate and third party administrator to provide eligible Cook County employees and their dependents with a Vision Care program from January 1, 2009 through December 31, 2011.

The Request for Proposal (RFP) for Vision Care Benefits was joint initiative by the various municipal agencies and issued by the Chicago Transit Authority. Six (6) national vision care companies responded to this Request for Proposal. Based on an extensive financial analysis and overall evaluation of benefits from the respondents, the Department of Risk Management recommends the selection of EyeMed Vision Care. EyeMed Vision Care, previously known as Cole Managed Vision, offers the following advantages: lowest costs for examinations, spectacle lenses, contact and frames; largest provider network in Cook County with 730 locations; high level of satisfaction for Cook County employees since 1995; responsive service and ease of administration to covered members; very competitive administrative fee; and a five-year rate guarantee for materials and services (three year term, with two one-year renewal options). The proposal from EyeMed Vision Care includes Minority Business Enterprises (MBE)/Women Business Enterprises (WBE) direct participation and has been found responsive to the Contract Compliance guidelines. This will allow Cook County employees to continue to participate in the Vision Care program as part of the fringe benefit package.

All fees and expenses will be paid from the following accounts:

Corporate/Grant: 490-179
Public Safety: 499-179
Health Fund: 899-179

Estimated Annual Fiscal Impact: \$2,900,000.00.

The actual charges for each fund will vary based on the actual monthly utilization.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated July 26, 2011 from

LISA M. WALIK, Director, Department of Risk Management

requesting authorization for the Purchasing Agent to enter into a contract with The Guardian Life Insurance Company of America, Chicago, Illinois, for dental insurance benefits.

Reason: To provide the eligible Cook County employees and their dependents with managed care dental benefits (PPO and HMO) for a period of (2) two years with two one-year renewal options to coincide with the ongoing collective bargaining process. A Request for Qualifications ("RFQ") was downloaded by thirty-three (33) companies and seven (7) insurance companies responded to the RFQ. In accordance with the procurement process, each of the responses were reviewed and each respondent was deemed qualified. A Request for Proposal was subsequently issued this past spring to the qualified respondents. Based upon the initial analysis of the proposals submitted, three companies were selected as finalists and The Guardian Life Insurance Company of America was recommended for contract award.

Estimated Fiscal Impact: \$8,000,000 (*representing a 3% reduction over the current expenditure for this benefit and a cost savings of approximately \$93,000 to the County).

*The estimated fiscal impact is based on current enrollment and the plan design that is in force. The plan design and costs are subject to change based on the outcome of future labor negotiations. Therefore, the fiscal impact is subject to change accordingly. Based on these factors, sufficient funds will be budgeted for each fiscal year.

Contract period: December 1, 2011 through November 30, 2013 (542-177. Dental Insurance Account). Approval of this item would commit Fiscal Years 2012 and 2013 funds.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Sims, moved that the communication be referred to the Committee on Finance. (Comm. No. 313902). **The motion carried unanimously.**

* * * * *

Transmitting a Communication, dated July 26, 2011 from

LISA M. WALIK, Director, Department of Risk Management

requesting authorization for the Purchasing Agent to enter into a contract with Health Care Service Corporation, Chicago, Illinois, for health insurance benefits.

Reason: To provide the eligible Cook County employees and their dependents with health care benefits (PPO and HMO) for a period of (2) two years with two one-year renewal options. A Request for Qualifications ("RFQ") was downloaded by thirty-three (33) companies and four (4) insurance companies responded to the RFQ. In accordance with the procurement process, each of the responses were reviewed and each respondent was deemed qualified. A Request for Proposal was subsequently issued this past spring to the qualified respondents. Based upon the initial analysis of the proposals submitted, three

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companies were selected as finalists and Health Care Service Corporation was recommended for contract award.

Estimated Fiscal Impact: \$262,000,000*. Contract period: December 1, 2011 through November 30, 2013. Department Number: 542-176 (Health Insurance).

*The estimated fiscal impact is based on current enrollment and the plan design that is currently in force. The plan design and costs are subject to change based on the outcome of future labor negotiations. Therefore, the fiscal impact is subject to change accordingly. Based on these factors, sufficient funds will be budgeted for each fiscal year.

Approval of this item would commit Fiscal Years 2012 and 2013 funds.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Sims, moved that the communication be referred to the Committee on Finance. (Comm. No. 313903). **The motion carried unanimously.**

CONTRACT RENEWAL

Transmitting a Communication, dated June 20, 2011 from

LISA M. WALIK, Director, Department of Risk Management

requesting authorization for the Purchasing Agent to renew Contract No. 09-41-49 with GENEX Services, Inc, Wayne, Pennsylvania, for medical bill review and workers' compensation case management services.

Reason: This extension will allow the County time to explore return to work initiatives while maximizing the savings opportunities that have been realized since August 1, 2008 for bill review, medical case management and utilization review services. In addition, this will provide continuity to the worker's compensation cost savings initiatives and ensure compliance with pending changes to the Workers Compensation Act Reform that will take place September 1, 2011. A Request for Proposal for these services will be issued next spring.

Estimated Fiscal Impact: None. Savings from this program exceed the anticipated fees. Contract period: August 1, 2011 through July 31, 2012. (542-845 Account). Costs are associated and allocated to individual workers' compensation claim files.

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to renew the requested contract. **The motion carried unanimously.**

OFFICE OF THE STATE'S ATTORNEY

GRANT AWARD ADDENDUM

Transmitting a Communication, dated July 5, 2011 from

ANITA ALVAREZ, Cook County State's Attorney

by

MICHELE V. LATZ, Chief of the Administrative Services Bureau, State's Attorney's Office

requesting authorization to accept a no-cost program extension from July 1, 2011 to June 30, 2012 from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention for the Cook County Internet Crimes Against Children (ICAC) Task Force Program. This extension will enable the Office to expend the entire award amount as well continue to accomplish the program goals and objectives.

The ICAC funding allows the Office to dedicate one administrative assistant to support the work of the Task Force, one Assistant State's Attorney to focus on ICAC cases, as well as continue to provide funding to equip and train the Cook County ICAC Task Force partner agencies in an effort to aggressively identify, investigate and prosecute persons who use the Internet to sexually exploit children as well as prevent such exploitation through community outreach and education. The Cook County ICAC Task Force partners include representatives of the State's Attorney's Office, the Chicago Police Department and law enforcement agencies from throughout Cook County. Task Force partners from local law enforcement agencies concentrate their investigative efforts in the City of Chicago and the entire outlying suburban Cook County area. This grant does not require a match contribution.

The authorization to accept the original grant award was given on December 3, 2008 by the Cook County Board of Commissioners in the amount of \$300,000.00.

Estimated Fiscal Impact: None. Funding Period Extension: July 1, 2011 through June 30, 2012.

The Budget Department has received all requisite documents and determined the fiscal impact on Cook County, if any.

Commissioner Collins, seconded by Commissioner Reyes, moved that the request of the Chief of the Administrative Services Bureau of the State's Attorney's Office be approved. **The motion carried unanimously.**

GRANT AWARD RENEWAL

Transmitting a Communication, dated July 7, 2011 from

ANITA ALVAREZ, Cook County State's Attorney

by

MICHELE V. LATZ, Chief of the Administrative Services Bureau, State's Attorney's Office

requesting authorization to accept a grant renewal from the Illinois Department of Children and Family Services in the amount of \$38,709.00. This grant will provide continued partial funding for our Child Sexual Abuse Specialist Program that is jointly funded by the Illinois Attorney General's Office. The one, full-time Child Sexual Abuse Specialist funded by this grant focuses on providing victim services including crisis intervention with victims and families of victims, identifying and making referrals for immediate and long-term counseling services, monitoring and coordinating services for children who are wards of the state and working with the local and state agencies involved with the victim as well as

working directly with local and state law enforcement and service agencies to provide training, technical assistance and consultation. The estimated fiscal impact is the remaining salary and fringe benefits of the Child Sexual Abuse Specialist that would not be covered by the anticipated grant awards from the Illinois Attorney General's Office and the Illinois Department of Children and Family Services.

The authorization to accept the previous grant award was given on July 27, 2010 by the Cook County Board of Commissioners in the amount of \$38,709.00 with a cash match of \$49,185.00.

Estimated Fiscal Impact: \$22,310.00. Grant Award: \$38,709.00. Funding Period: July 1, 2011 through June 30, 2012. (250-818 Account).

The Budget Department has received all requisite documents and determined the fiscal impact on Cook County, if any.

Commissioner Collins, seconded by Commissioner Reyes, moved that the request of the Chief of the Administrative Services Bureau of the State's Attorney's Office be approved. **The motion carried unanimously.**

PENDING LITIGATION

Transmitting a Communication, dated July 1, 2011 from

ANITA ALVAREZ, Cook County State's Attorney

by

PATRICK T. DRISCOLL, JR., Deputy State's Attorney, Chief, Civil Actions Bureau

respectfully request permission to discuss the following cases with the Board or the appropriate committee thereof:

1. Harper v. Thomas Dart, Case No. 10-C-3873
(Comm. No. 313891).
2. Johnson v. Hill, et al., Case No. 11-C-3203
(Comm. No. 313892).
3. Fozyia Huri v. Circuit Court of Cook County, et al., Case No. 11-C-3675
(Comm. No. 313893).
4. Neal Tokowitz v. Cook County Sheriff's Office, Case No. 10-C-6094
(Comm. No. 313894).
5. Sylvia Drane-Tidwell v. Cook County Sheriff, et al., Case No. 11-C-514
(Comm. No. 313895).

Commissioner Silvestri, seconded by Commissioner Tobolski, moved that the communications be referred to the Litigation Subcommittee. The motion carried unanimously.

OFFICE OF THE COUNTY TREASURER

PROPOSED ORDINANCE AMENDMENT

Transmitting a Communication, dated July 12, 2011 from

MARIA PAPPAS, Cook County Treasurer

by

JOSEPH M. FRATTO, Chief Deputy Treasurer

transmitted herewith is a Proposed Ordinance Amendment to be considered by this Honorable Body.

Submitting a Proposed Ordinance Amendment sponsored by

BRIDGET GAINER, JOHN P. DALEY, ELIZABETH "LIZ" DOODY GORMAN
and JOAN PATRICIA MURPHY, County Commissioners

Co-Sponsored by

JERRY BUTLER, JESUS G. GARCIA, GREGG GOSLIN, EDWIN REYES,
TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS,
LARRY SUFFREDIN and JEFFREY R. TOBOLSKI, County Commissioners

PROPOSED ORDINANCE AMENDMENT

AMENDMENT TO TAXING DISTRICT DEBT DISCLOSURE ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Article IV Officers and Employees, Division 4 Treasurer, Subdivision 1 In General, Section 2-243 of the Cook County Code is hereby amended as follows:

Sec. 2-243. Taxing district debt disclosure.

(a) *Definitions.*

Actuarial accrued liability (AAL), other postemployment benefits (OPEB), unfunded actuarial accrued liability (UAAL), and healthcare cost trend rate shall have the same meanings ascribed to such terms under the generally accepted accounting principles for governmental accounting promulgated from time to time by the Governmental Accounting Standards Board.

Actuarial cost method, amortization method, asset valuation method, investment rate of return, and any other actuarial terms used and not defined herein shall have the same meanings as defined by Actuarial Standards of Practice, as promulgated from time to time by the Actuarial Standards Board.

Audited financial statements, current debt, current liabilities, long term debt, long term liabilities and any other accounting terms used and not defined herein shall have the same meanings as defined by Generally Accepted Accounting Principles, as promulgated from time to time by the American Institute of Certified Public Accountants, and shall conform with the accounting principles and auditing standards generally accepted in the United States, including without limitation those generally accepted accounting principles for governmental accounting as are set forth in publications of the Governmental Accounting Standards Board.

Taxing District shall have the same meaning as defined by 35 ILCS 200/1-150.

Total Pension Liability shall mean the sum total of all liabilities of a Taxing District in respect of the pension and retirement obligations of such Taxing District. Total Pension Liability includes both AAL for pension benefits and AAL for OPEB benefits.

Total Unfunded Pension Liability shall mean the sum total of all unfunded liabilities of a Taxing District in respect of the pension and retirement obligations of such Taxing District. Total Unfunded Pension Liability includes UAAL for pension benefits and UAAL for OPEB benefits.

(b) *Duty of Taxing Districts to disclose all debt.* Each Taxing District shall, on or before the last Tuesday in December, provide to the Office of the Cook County Treasurer, in the electronic format required by Office of the Cook County Treasurer, a full, complete, unabridged and unedited copy of such Taxing District's most recent audited financial statement (along with any and all auditor's notes and comments on such audited financial statements), accompanied by such Taxing District's written disclosure of the following information:

- (1) Sum total of all debts and liabilities from such financial statement(s);
- (2) Sum total of gross tax levy for the most recent tax year;
- (3) Gross operating budget revenue for the most recent fiscal year;
- (4) Total Pension Liability;
- (5) Total Unfunded Pension Liability, which shall be denoted as a separate line item below Total Pension Liability;
- (6) Actuarial cost method utilized by the Taxing District in its calculations of Total Pension Liability and Total Unfunded Pension Liability;
- (7) Asset valuation method utilized by the Taxing District in its calculation of Total Unfunded Pension Liability;
- (8) Each of the following actuarial assumptions underlying the Taxing District's calculations of Total Pension Liability and Total Unfunded Pension Liability:
 - (a) Investment rate of return;
 - (b) Annual rate of salary increases;
 - (c) Participant mortality rate; and,
 - (d) Healthcare cost trend rate for OPEB benefits;
- (9) Name and contact information (including telephone number, fax number, and email address, if available) for the chief elected official of the Taxing District and for the chief finance official of the Taxing District; and
- (10) If the Taxing District is a county, city, village, or incorporated town, the current total population of such Taxing District.

(c) In the event that a Taxing District does not have an audited financial statement for the most recent fiscal year, such Taxing District shall in lieu thereof provide to the Office of the Cook County Treasurer the most recent unaudited financial statement of such Taxing District, provided in all events that such unaudited financial statement shall include disclosures of the subject Taxing District's actual or contingent current debt, current liabilities, long term debt and long term liabilities. A Taxing District, whose financial statements are included or consolidated in the financial statements of another Taxing District, is not required to separately provide the required financial statements in the event said other Taxing District is in compliance with the requirements of this Ordinance.

(d) Independent of the duty of Taxing Districts to make annual disclosures pursuant to subsection (b) above, within 60 days following notification by the Office of the Cook County Treasurer, via United State's Postal Service first class prepaid mail, each Taxing District shall provide to the Office of the Cook County Treasurer, in the electronic format required by the Office of the Cook County Treasurer, a written disclosure containing the information required under Subsections (b)(6), (b)(7), (b)(8), and (b)(9) above.

(e) *Duty of Treasurer to make available disclosure of debt.* The Office of the Cook County Treasurer shall:

- (1) Create an electronic repository for the storage of all financial disclosures made by such Taxing Districts; and
- (2) Cause to be published on each regularly issued real estate tax bill the website address which provides, to taxpayers and other interested parties, electronic access to such financial disclosures by such Taxing Districts.

(f) *Publication of disclosures.* The Office of the Cook County Treasurer may, in the sole discretion of the Cook County Treasurer:

- (1) Publish on the Cook County Treasurer's official website the names of any Taxing Districts that have failed to comply fully with the requirements of this Ordinance; and,
- (2) Publish from time to time (but in no event more frequently than twice per calendar year) in one or more newspapers having a circulation within Cook County (i) any disclosures provided by Taxing Districts pursuant to this Ordinance or otherwise and/or (ii) the names of any Taxing Districts that have failed to comply fully with the requirements of this Ordinance.

(g) *Duty of Taxing District to provide and maintain contact information.* In the event of any change to the contact information provided by a Taxing District pursuant to Subsection (b)(9), the Taxing District shall forthwith provide revised and up-to-date contact information to the Office of the Cook County Treasurer.

Effective Date: This Ordinance shall be effective upon passage.

Commissioner Daley, seconded by Commissioner Suffredin, moved that the Proposed Ordinance Amendment be referred to the Finance Subcommittee on Pension. (Comm. No. 313896). **The motion carried unanimously.**

DEPARTMENT OF WOMEN'S JUSTICE SERVICES

CONTRACTS

Transmitting a Communication, dated July 7, 2011 from

THOMAS J. DART, Sheriff of Cook County

by

DEBORAH A. BOECKER, Executive Director, Sheriff's Women's Justice Programs

requesting authorization for the Purchasing Agent to enter into a contract with McDermott Center, Chicago, Illinois, for comprehensive integrated treatment services that will break the intergenerational cycle of trauma, addiction and crime by providing quality gender-responsive and trauma-informed substance abuse and mental health treatment for pregnant and post natal detainees in the MOM's program.

Reason: McDermott Center is recommended based upon the results of a Request for Proposal (RFP) conducted by the Cook County Purchasing Agent in conjunction with the Cook County Sheriff's Office. There was one (1) respondent to this RFP. Thus, the McDermott Center was selected because they achieved the highest overall score from the internal selection committee, based upon adherence to the technical specifications and cost. The proposed term of the contract is three (3) years with renewal options in years two (2) and three (3). The price per unit will not change during the contract period or the renewal periods.

Estimated Fiscal Impact: \$2,647,692.00 (FY 2011: \$147,094.00; FY 2012: \$882,564.00; FY 2013: \$882,564.00; and FY 2014: \$735,470.00. Contract period: October 1, 2011 through September 30, 2014. (212-298 Account).

Approval of this item would commit Fiscal Years 2012, 2013 and 2014 funds.

The Purchasing Agent concurs.

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried unanimously.**

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Transmitting a Communication, dated July 7, 2011 from

THOMAS J. DART, Sheriff of Cook County

by

DEBORAH A. BOECKER, Executive Director, Sheriff's Women's Justice Programs

requesting authorization for the Purchasing Agent to enter into a contract with Salina & Associates, Inc., Chicago, Illinois, for comprehensive integrated treatment services to include a therapeutic treatment environment that is supportive and builds skills, strengths and self-esteem for detainees in the Sheriff's Female Furlough Program (SFFP) and the Drug Treatment Beds Program (DTBP).

Reason: Salina & Associates, Inc., is recommended based upon the results of a Request for Proposal (RFP) conducted by the Cook County Purchasing Agent in conjunction with the Cook County Sheriff's Office. There were two (2) respondents to this RFP. Salina & Associates, Inc., was selected because they achieved the highest overall score from the internal selection committee, based upon adherence to the technical specifications and cost. The proposed term of the contract is three (3) years with renewal options in years two (2) and three (3). The price

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per unit will not change during the contract period or the renewal periods.

Estimated Fiscal Impact: \$5,998,470.00 (FY 2011: \$333,250.00; FY 2012: \$1,999,490.00; FY 2013: \$1,999,490.00; and FY 2014: \$ 1,666,240.00. Contract period: October 1, 2011 through September 30, 2014. (212-298 Account).

Approval of this item would commit Fiscal Years 2012, 2013 and 2014 funds.

The Purchasing Agent concurs.

Vendor has met the Minority and Women Business Enterprise Ordinance.

Commissioner Daley, seconded by Commissioner Sims, moved that the County Purchasing Agent be authorized to enter into the requested contract. **The motion carried unanimously.**

ADJOURNMENT

Commissioner Silvestri, seconded by Commissioner Steele, moved that the meeting do now adjourn to meet again at the same time and same place on Wednesday, June 1, 2011 in accordance with County Board Resolution 11-R-26.

The motion prevailed and the meeting stood adjourned.

* * * * *

A Special Meeting of the Board of Commissioners has been called for Friday, July 29, 2011 at 10:00 A.M. for the presentation of the Resolution authorizing to settle and revise various accounts in order to complete the 2010 Comprehensive Annual Financial Report; and request to authorize contract payment to Mesirow Financial Services, Inc.

County Clerk